

A SUMMARY OF LEGISLATION  
TRULY AGREED TO AND FINALLY PASSED

by the

93rd General Assembly

Second Regular Session



2006

Prepared by the  
Divisions of Research, Computer Information Systems  
and Administration  
of the  
MISSOURI SENATE

**\*\*\* SB 558 \*\*\***

SPONSOR: Gibbons

HANDLER: Rector

SB 558 - The act removes the termination date for experimental tariffs put in place by the Public Service Commission and gas corporations for schools. The tariffs in question provide for the aggregate purchase of natural gas for schools in the state. Such tariffs shall remain in effect unless they are terminated by the commission.

MEGAN WORD

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**\*\*\* SB 559 \*\*\***

SPONSOR: Gibbons

HANDLER: Rector

SB 559 - The act makes one change to the definition of "person" as it applies to joint municipal utility commissions. The changes makes consistent that any municipality, government unit or public corporation created under the laws of any state or the United States be considered a person under this definition.

MEGAN WORD

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**\*\*\* SB 561 \*\*\***

SPONSOR: Gross

HANDLER: Dempsey

SB 561 - This act limits the expenditure of funds derived from admission fees for St. Charles City and St. Charles County. The further limitation on the amount of expenditures other than capital, cultural, and special law enforcement purpose expenditures is phased-in over a period of years based upon a percentage of the revenue received from excursion gambling boat admission fees in fiscal year 2007 .

JASON ZAMKUS

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**\*\*\* SB 567 \*\*\***

SPONSOR: Dougherty

HANDLER: Schaaf

HCS/SCS/SBs 567 & 792 -This act modifies laws on health insurance coverage.

#### HEALTH INSURANCE BENEFITS

Currently, an employer may provide or contract for health insurance at a reduced premium rate for employees who do not smoke or use tobacco products. This act allows the employer to also provide or contract for health insurance at a reduced deductible level for employees who do not smoke or use tobacco products. Insurers or small-employer carriers offering these policies will not be in violation of any unfair trade practice.

These provisions are similar to HB 1101 (2006).

#### CLINICAL TRIALS HEALTH INSURANCE COVERAGE

This act requires health insurance companies to provide coverage for routine patient care costs incurred as the result of phase II clinical trials undertaken to treat cancer. Currently, Section 376.429, RSMo, requires coverage for phases III or IV only. In addition, health benefit plans may limit coverage for the routine patient care costs of patients in phase II of a clinical trial to those treating facilities within the health benefit plans' provider network; except that, this provision shall not be construed as relieving a health benefit plan of the sufficiency of network requirements under state statute.

Routine patient care costs coverage for phase II clinical trials shall apply if the trial is sanctioned by the National Institutes of Health (NIH) or National Cancer Institute (NCI) and conducted at an academic or National Cancer Institute Center; and the person covered under this section is enrolled in the clinical

SPONSOR: Dougherty

HANDLER: Schaaf

trial and not merely following the protocol of phase II clinical trials. In addition, the provisions of this act regarding phase II of a clinical trial shall not apply automatically to an individually underwritten health benefit plan, but shall be an option to any such plan.

**HEALTH INSURANCE CO-PAYMENTS FOR PRESCRIPTION DRUGS**

This act provides that health insurers will be required to charge only one co-payment on a prescription if the required single dosage is not available and a combination of dosage amounts must be dispensed to fill the prescription. This provision does not apply to prescriptions in excess of a one-month supply. If technology does not permit adjudication, the health carrier or health benefit plan will provide reimbursement forms for the patients.

These provisions are similar to HB 1904 (2006).

ADRIANE CROUSE

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**\*\*\* SB 578 \*\*\***

SPONSOR: Shields

HANDLER: Rucker

SCS/SB 578 - This act makes it unlawful for any person to engage in protest activities within one hour prior to the commencement of any funeral service, and until one hour following the cessation of the service. First violations are punishable as a Class B misdemeanor and subsequent violations are punishable as a Class A misdemeanor. This act shall be known as "Spc. Edward Lee Myers' Law".

The act contains an emergency clause.

ALEXA PEARSON

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**\*\*\* SB 580 \*\*\***

SPONSOR: Shields

HANDLER: Baker

SCS/SB 580 - This act requires the Commissioner of Higher Education, the chair of the Coordinating Board for Higher Education, the Commissioner of Education, the president of the state Board of Education, and the director of the Department of Economic Development to meet and discuss ways in which their respective departments may collaborate in order to achieve a more efficient and effective education system that more adequately prepares students for the challenges of entering the workforce. The act contains several policy objectives intended to accomplish this end.

The aforementioned persons shall jointly report to the General Assembly and to the governor the actions taken by their agencies and their recommendations for policy initiatives and legislative alterations to achieve the policy goals of this act.

DONALD THALHUBER

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**\*\*\* SB 583 \*\*\***

SPONSOR: Griesheimer

HANDLER: Lembke

HCS/SS#2/SCS/SB 583 - This act proposes to revise the state emissions inspection program. The act creates a decentralized emissions inspection program whereby motor vehicle safety inspection stations and other entities will conduct emissions inspection if certified by the air conservation commission. The decentralized system will not go into effect until September 1, 2007. Prior to that date, the commission shall develop a decentralized emissions inspection program that allows official emissions inspection

SPONSOR: Griesheimer

HANDLER: Lembke

stations to conduct on-board diagnostic testing on 1996 and newer vehicles. The act provides that motor vehicle safety inspection stations and other entities may apply to the commission to become official emissions inspection stations. Before issuing a certificate of authorization to a prospective station, the commission must determine if the applicant will be properly equipped, has qualified emission inspectors, and meets other requirements set forth by the commission (Section 643.303).

The act applies the new decentralized emissions program consistently throughout the city of St. Louis, St. Louis County, St. Charles County, Jefferson County, and Franklin County. The act updates the county descriptions (Section 643.305).

The act provides that the Director of Revenue may verify a successful safety and emissions inspection result electronically. This provision is similar to one contained in HB 241 (2005).

If a motor vehicle is inspected and approved prior to sale or transfer, it is not subject to another emissions inspection for 90 days after the date of sale or transfer of the vehicle.

The act specifically exempts motor vehicles manufactured prior to 1996 from the emission inspection process. Motor vehicles manufactured prior to that date will be subject to a gas cap pressure test as part of the motor vehicle safety inspection test. This requirement will be implemented by rules. The act exempts heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess of 8,500 pounds. The act also exempts new motor vehicles which have not been previously titled and registered, for the four-year period following their model year of manufacture provided the odometer reading for such motor vehicles are less than 40,000 miles at their first required biennial safety inspection; otherwise such motor vehicles shall be subject to the emissions inspection. Motor vehicles driven less than 12,000 miles between biennial safety inspections are exempt from the emissions inspection (Section 643.315).

The act sets forth the procedures that one must follow in order to become an official emissions inspection station. The act also provides that the commission may suspend a station's certificate of authority to conduct emissions inspections provided the station is given due process as outlined in the act (Section 643.320).

The act provides that the commission shall establish a waiver amount which shall be no greater than \$450. The act provides that the waiver amount for repairs conducted by an owner shall be \$400 provided the owner expends at least \$400 on emissions parts. Labor costs do not count toward the waiver amount for owner repairs. The subsection requires the commission to create a waiver form and requires owners to submit all original receipts for parts. Under the act, the commission may establish, by rule, a waiver amount which may be lower for owners who provide reasonable and reliable proof to the commission that the owner is financially dependant solely on state and federal disability benefits and other public assistance programs. Such proof shall be submitted to the commission thirty calendar days prior to each subsequent emissions inspection before the lowered waiver amount is allowed (Section 643.335).

The act requires certified repair technicians to obtain and possess valid A6, A8, and L1 certifications from the National Institute for Automotive Service Excellence (Section 643.335).

The act requires the Department of Natural Resources and the Highway Patrol to provide oversight for the emissions inspection program, including oversight of the repair services by recognized repair technicians. Both agencies shall submit an annual report to the legislature detailing the oversight measures implemented for the program and the data collected regarding compliance and incidents of fraud

SPONSOR: Griesheimer

HANDLER: Lembke

(section 643.337). The act also requires the Department of Natural Resources to submit annual reports to the General Assembly describing the overall effectiveness of the new decentralized emissions inspection program (section 643.353).

Beginning September 1, 2007, the inspection fee shall not exceed \$24 (Section 643.350).

The act abolishes the Missouri Air Pollution Control Fund established under Section 307.366 and transfers its funds to the Missouri Air Emission Reduction Fund (Section 307.367).

The act requires the Department of Natural Resources to promote participation in the decentralized emissions inspection program among qualified motor vehicle dealers, service stations, and other individuals. After the implementation of the decentralized emission inspection program, the department shall monitor participation in such program. In determining whether there are a sufficient number of individuals conducting motor vehicle emission inspections under the decentralized program, the department shall attempt to ensure, through promotional efforts, that no more than twenty percent of all persons residing in an affected nonattainment area reside farther than five miles from the nearest inspection station.

Many of the provisions of the act have an effective date of September 1, 2007.

STEPHEN WITTE

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**\*\*\* SB 612 \*\*\***

SPONSOR: Engler

HANDLER: Tilley

SB 612 - This act authorizes the Governor to convey state property in St. Francois County to the Farmington American Legion Post 416.

This act contains an emergency clause.

SUSAN HENDERSON MOORE

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**\*\*\* SB 614 \*\*\***

SPONSOR: Stouffer

HANDLER: Sutherland

HCS/SCS/SB 614 - This transfers oversight of the contributions to centers for victims of domestic violence tax credit program from the department of public safety to the department of social services. The act creates an income tax credit in an amount equal to fifty percent of the amount of an eligible monetary donation made, on or after January 1, 2007, to a qualifying residential treatment agency. The tax credit may not be applied against withholding taxes. The tax credit is non-refundable, but may be carried forward four years. The tax credit is fully transferable. An agency may apply to the Department of Revenue for the tax credits in an aggregate amount that does not exceed forty percent of the payments made by the Department of Social Services to the agency in the preceding twelve months. The provisions of this act shall automatically sunset six years after the effective date of the act unless reauthorized.

JASON ZAMKUS

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**\*\*\* SB 616 \*\*\***

SPONSOR: Stouffer

HANDLER: Sutherland

CCS/HCS/SCS/SB 616 - This act repeals the terms "residential care facility I" and "residential care

SPONSOR: Stouffer

HANDLER: Sutherland

facility II" and replaces them with "residential care facility" and the newly created term "assisted living facility," respectively.

Assisted living facilities contain services consisting of social models based on the premise that the resident's unit is his or her home. There are new definitions for "activities of daily living" which include eating, dressing, bathing, toileting, transferring, and walking and for "instrumental activities of daily living" which consist of preparing meals, shopping for personal items, medication management, managing money, using the telephone, housework, and transportation ability. There are also new definitions for "appropriately trained and qualified individuals," "community based assessment" and "social model of care."

This act prescribes requirements for assisted living facilities in order to accept or retain individuals. An individual in a facility must not require hospitalization or skilled nursing. The facility must employ a staff large enough and skilled enough to handle twenty-four hour care. The facility must also have a written plan for the protection of all residents in the event of a disaster. The signatures of an authorized representative of the facility and the resident or legal representative shall be contained in the individualized service plan. The facility must implement self-care and leisure activity programs.

The facility must complete pre move-in screening and resident assessments for community based services. This assessment will be used by the facility to implement an individualized service plan to be reviewed at least semi-annually by the resident or legal representative.

The residence must ensure that it does not accept or retain a resident who has exhibited behaviors that present a reasonable likelihood of serious harm to himself or herself. The resident must not require skilled nursing services or more than one person to physically assist the resident with any activity of daily living, except bathing. The resident must not be bed-bound or similarly immobilized due to a debilitating or chronic condition. There is an exception for certain conditions for residents on hospice.

The facility must also develop a plan to protect the rights, privacy, and safety of all residents and comply with dementia-specific training requirements.

The act repeals the requirement that residential care facilities can only admit persons who are capable mentally and physically of negotiating a normal path to safety under certain conditions. This act now allows for an assisted living facility to accept or retain an individual with a physical, cognitive, or other impairment that prevents the resident from safely evacuating the residence with minimal assistance so long as the facility has sufficient staff present twenty-four hours a day to assist in evacuations and contains an individualized evacuation plan for such a resident. The facility shall also be equipped with an automatic sprinkler system, an automated fire door system and smoke alarms compliant with national fire codes. This act also provides a licensed hospice exception to the pathway to safety provisions.

The facility must take measures to allow residents the opportunity to explore the facility and grounds and use personal electronic monitoring device for any resident whose physician recommends the use of the device.

Licensed assisted living facilities must also disclose to a prospective resident information regarding the services the facility is able to provide, costs of such services to the resident, and the conditions that will require discharge or transfer from the facility.

**\*\*\* SB 616 \*\*\***

(Cont'd)

SPONSOR: Stouffer

HANDLER: Sutherland

This act provides for a grandfather clause regarding the new licensing requirements for existing residential care facility II entities. The grandfather provision does not exempt a residential care facility II from the 24-hour staff, written plan protection, screening and assessment requirements. Further, this act allows any residential care facility licensed as a residential care facility II immediately prior to the effective date of these provisions and for purposes of receiving supplemental welfare assistance payments under Section 208.030, RSMo, to continue to receive the payment amount allocated for a residential care facility II. Also, this act prohibits any facility from naming or advertising itself as an assisted living facility without obtaining a license from the department.

This act requires the departments of Social Services and Health and Senior Services to jointly prepare by January 1, 2008, a report to the Governor and General Assembly on the differences found in the evaluation of the requirements for inspectors or surveyors of facilities and the performance of the inspectors.

This act is similar to HB 1620 (2006).

ADRIANE CROUSE

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**\*\*\* SB 618 \*\*\***

SPONSOR: Koster

HANDLER: Baker

SB 618 - This act provides that the Family Support Center may issue an electronic access card to custodial parents for the purpose of disbursing child support payments to custodial parents who do not have access to a bank account.

ADRIANE CROUSE

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**\*\*\* SB 630 \*\*\***

SPONSOR: Gross

HANDLER: Portwood

SCS/SB 630 - This act modifies the eligibility requirements for properties owned by unmarried people as joint tenants or as tenants in common. If the property is owned by two or more unmarried individuals, each person with an ownership interest must individually satisfy the age or disability requirements for an eligible individual owner, and the combined income of all individuals with an ownership interest must not exceed seventy five thousand dollars. If any one individual fails to satisfy these eligibility requirements, then all individuals with an ownership interest in the property will be deemed ineligible. The filing deadline is extended from September 30th to October 15th of each year.

JASON ZAMKUS

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**\*\*\* SB 641 \*\*\***

SPONSOR: Scott

HANDLER: Cunningham

SB 641 - This act requires that any contribution to the Missouri Higher Education Savings Program must be held in the program for at least twelve months in order to avoid penalties provided in current law.

This act is identical to SB 526 (2005).

CHRIS HOGERTY

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**\*\*\* SB 645 \*\*\***

SPONSOR: Griesheimer

HANDLER: Richard

SB 645 - This act modifies language contained in the BUILD statutes (Sections 100.700 to 100.850) by expanding the definition of eligible industry to include an industry located in the city of Fenton. An eligible industry must retain the level of employment that existed at the site from three years from the date of issuance of certificates throughout the duration of the certificates.

JASON ZAMKUS

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**\*\*\* SB 648 \*\*\***

SPONSOR: Champion

HANDLER: Denison

SB 648 - This act replaces the term "lunatic asylum" with "mental health facility" in Section 320.010, RSMo, which requires that such facilities have stairs or fire escapes.

SUSAN HENDERSON MOORE

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**\*\*\* SB 650 \*\*\***

SPONSOR: Champion

HANDLER: Dixon

SCS/SB 650 - This act specifies that the term of Office of the Governors of Missouri State University shall be six years. The voting members of the board of governors serving on August 28, 2005, shall serve until the expiration of the terms for which they were appointed. For those voting members appointed after August 28, 2005, the term of office will be established in a manner where no more than three terms shall expire in a given year.

If a voting member of the Board of Governors of Missouri State University is found by unanimous vote of the other governors to have moved such governor's residence from the district from which such governor was appointed, then the office of such governor shall be vacant.

Should the total number of Missouri congressional districts be altered, all members of the board shall be allowed to serve the remainder of the term for which they were appointed. Should the boundaries of any congressional districts be altered in a manner that displaces a member of the board from the congressional district from which the member was appointed, the member shall be allowed to serve the remainder of the term for which the member was appointed.

The act renders other technical alterations by removing the "Southwest" from Missouri State University in certain sections omitted from the name change bill last session.

This act contains an emergency clause.

DONALD THALHUBER

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**\*\*\* SB 667 \*\*\***

SPONSOR: Engler

HANDLER: St. Onge

SCS/SBs 667, 704, 941, 956 & 987 - This act designates several portions of highway after Missouri Highway Patrolmen.

This act designates a portion of state highway M within Washington County which is located within the city limits of Irondale as the "Trooper Robert Kolilis Memorial Highway" (Section 227.305). The act also designates a portion of U.S. Highway 54 in Camden County as the "Trooper Ross S. Creach



SPONSOR: Engler

HANDLER: St. Onge

Memorial Highway" (Section 227.375). This portion of the act is similar to SCS/HB 423 and SCS/SB 227 (2005).

This act designates the bridges on state highway 60 crossing the Current River that are located within the city limits of Van Buren collectively as the "Sgt. Dewayne Graham Jr. MO Highway Patrol Memorial Bridges". Under the act, the department of transportation shall erect and maintain appropriate signs designating such bridges, with the costs to be paid for by the Missouri State Troopers Association (Section 227.359).

This act designates a portion of I-44 in Webster County as the "Cpl. Jay Sampietro MO State Hwy. Patrol Memorial Highway." Since the current law designates the whole stretch of I-44 in Webster County as the "Edwin P. Hubble Memorial Highway," the act carves out a portion of that designation for the Sampietro designation (Sections 227.345 and 227.379).

This act names a portion of U.S. Highway 60 in Texas County as the "Trooper D. Kevin Floyd Memorial Highway" (Section 227.377).

This act designates a portion of I-44 in Franklin County as the "Trooper Ralph Tatoian Memorial Highway" (Section 227.384).

STEPHEN WITTE

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**\*\*\* SB 677 \*\*\***

SPONSOR: Gross

HANDLER: Threlkeld

SB 677 - This act removes references to the Committee on Radiation Control from sections 192.400, 192.410, and 192.420.

This act is identical to SB 162 (2005).

ADRIANE CROUSE

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**\*\*\* SB 678 \*\*\***

SPONSOR: Gross

HANDLER: Smith

SB 678 - This act repeals the statutory requirement that the director of the Department of Revenue make quarterly tax collections reports for temporary taxes that have sunset and are no longer collected.

JASON ZAMKUS

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**\*\*\* SB 701 \*\*\***

SPONSOR: Crowell

HANDLER: Jackson

SCS/SBs 701 & 948 - This act provides that if a recipient of educational assistance under the act ceases to maintain their active military affiliation while enrolled in an academic semester or term at an institution of higher education for any reason except death, disability, or medical disqualification, the educational assistance shall be terminated and the recipient shall be required to repay any amounts awarded under this section. The act also eliminates the provision which states that the recipient must repay assistance awarded if he or she ceases to maintain their military affiliation within three years after completion of a course of study.

ALEXA PEARSON

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**\*\*\* SB 718 \*\*\***

SPONSOR: Crowell

HANDLER: Pearce

SS/SCS/SB 718 - This act authorizes the Missouri Development Finance Board, the Missouri Health and Education Facilities Authority, the Missouri Higher Education Loan Authority, the Missouri Housing Development Commission, and the Environmental Improvement and Energy Resources Authority to approve a loan request only if the means of repayment is readily ascertainable. With the exception of annual appropriation debt for state-owned property, entities shall not approve such a request if the means of repayment is contingent upon state funding that has not been granted unless the project has been approved by concurrent resolution of the General Assembly or similar legislative directive or approval.

This act also includes the jobs now fund in the list of funds from which a loan may be requested from the Development Finance Board.

Currently, the State Board of Public Buildings shall not issue revenue bonds for the acquisition of office buildings in cities for one or more projects in excess of a total par value of \$655 million. This act increases the limit to \$775 million.

This act contains provisions identical to SB 1093 (2006).

CHRIS HOGERTY

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**\*\*\* SB 725 \*\*\***

SPONSOR: Bray

HANDLER: Johnson

HCS/SB 725 - This act allows culinary students who are eighteen years of age or older to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum.

The act explicitly disallows a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted as part of the curriculum.

The act requires intoxicating and nonintoxicating beer to be brewed from malt or a malt substitute. Flavor and other non-beverage ingredients containing alcohol may be used in producing intoxicating and nonintoxicating beer but may not contribute to more than 49% of the overall alcohol content.

This act is similar to SB 105 (2005) and HB 1726 (2006).

DONALD THALHUBER

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**\*\*\* SB 747 \*\*\***

SPONSOR: Klindt

HANDLER: Bearden

SCS/SB 747 - This act requires applicants for a used motor vehicle dealer's license to complete an educational seminar course within the last 12 months of applying for a license. The educational seminar course shall be approved by the Department of Revenue. The provisions of this act shall not apply to wholesale and retail auto auctions, new motor vehicle franchise dealers or motor vehicle leasing agencies. Used motor vehicle dealers who were licensed prior to August 28, 2006, are not subject to the act.

STEPHEN WITTE

**\*\*\* SB 749 \*\*\***

SPONSOR: Engler

HANDLER: Ruestman

SCS/SB 749 - Currently, in order to register as an interior designer, an applicant must have his or her experience verified by five client references and five industry references. This act requires that such experience be verified by two client references and three industry references.

CHRIS HOGERTY

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**\*\*\* SB 751 \*\*\***

SPONSOR: Stouffer

HANDLER: Johnson

SCS/SB 751 - This act allows the City of Corder to sell property purchased from the school district for any purpose it deems necessary after 25 years.

This act is similar to HB 795 (2005).

SUSAN HENDERSON MOORE

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**\*\*\* SB 756 \*\*\***

SPONSOR: Clemens

HANDLER: Behnen

HCS/SCS/SB 756 – This act modifies provisions regarding the licensing of certain professions.

PHARMACIES - Under the act, compounds containing pseudoephedrine that must be dispensed in a pharmacy pursuant to a prescription shall be excluded from the statutory drug schedules.

MESSAGE THERAPISTS - Under the act, the Board of Therapeutic Massage may promulgate rules for granting licenses to applicants who have completed approved programs in other states consisting of less than 500 hours. Massage businesses are barred from employing individuals to provide massage therapy unless the individuals are licensed massage therapists. A complaint may be filed with the administrative hearing commission against individuals who practice at unlicensed businesses.

The board may, upon request, waive or extend time requirements for completing continuing education hours for reasons related to military service, health, foreign residency or good cause.

Nonresident therapists licensed in other states may practice without a Missouri license if they are called into the state to teach courses related to the profession or to act as part of an emergency response team working with disaster relief officials, or are providing services at special events.

DENTISTS - The act requires dentists to retain patient records in a form reviewable by the board for at least 7 years from the date of last service or from the age of majority. Laboratory work orders must be retained for 7 years. Changes to patient records made after 48 hours from the final entry shall be documented as an addendum.

AUTOMATIC REVOCATION OF LICENSES - The act expands the grounds for automatic revocation currently reserved only for physicians to cover all licensees covered under Chapter 334, RSMo (physicians, physical therapists, athletic trainers, physician assistants, anesthesiologist assistants).

COLLABORATIVE PRACTICE AGREEMENTS/PHYSICIAN ASSISTANT AGREEMENTS - This act also provides that within thirty days of any change and on each renewal, the state board of registration of healing arts shall require physicians to identify whether a physician is engaged in any collaborative

SPONSOR: Clemens

HANDLER: Behnen

practice agreement or physician assistance agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make the information available to the public. The board shall track and randomly review the agreements for compliance.

**ATHLETIC TRAINERS** - Under current law, the Missouri Board for the Healing Arts must prepare and conduct examinations for applicants for licensure as athletic trainers. This act relieves the board of this duty and requires prospective trainers to pass the National Athletic Trainers Association Board of Certification examination. This act also repeals a provision that requires the applicant to meet certain academic and experience requirements as a prerequisite to licensure.

**PROFESSIONAL COUNSELORS** - The act amends the licensing requirements for professional counselors. Under the act, the applicant must show he or she is at least 18, of good moral character, a US citizen or legally present in the states, has completed a level of course work and counseling experience acceptable by the board. The applicant must pass a written, open-book exam on Missouri laws and regulations governing the practice of professional counseling.

The act specifies the requirements for reciprocal licenses: the approval of the applicant's credentials by the American Association of State Counseling Boards, the verification of good standing with and current certification by the National Board for Certified Counselors, or the determination by the board that the certifying state's requirements are substantially similar to those in Missouri.

**CLINICAL SOCIAL WORKERS** - Currently, out of state licensed clinical social workers who have had no violations, suspensions or revocations may be licensed in Missouri if they have passed a written exam and either are licensed in another state, received a masters or doctoral degree from a program accredited by the council of social work education, have been licensed for five years, have not been the subject of disciplinary action, or are currently licensed in a state that has similar reciprocity laws. This act changes those requirements to allow out of state license holders who have not been the subject of disciplinary action for five years to be licensed if the applicant received a masters or doctoral degree from a program accredited by the council of social work education and has been licensed for five years, or is currently licensed in a state with substantially similar requirements.

**VETERINARIANS** - Currently, applicants for licensure as veterinarians are required to submit examination fees at least 60 days prior to the examination. This act repeals this provision and allows the Missouri Veterinary Medical Board to establish such a requirement by rule.

**ADMINISTRATIVE HEARING COMMISSION** - The act allows notice of service of a complaint to be published if service cannot be accomplished in person or by certified mail. A copy of the findings, conclusions, and recommendations of the commission may be mailed to the licensee and any attorney who represented the licensee.

This act is similar to SCS/SB 998 (2006) and HB 1759 (2006).

CHRIS HOGERTY

SPONSOR: Dougherty

HANDLER: Weter

HCS/SCS/SB 765 - Under this act, informed consent for an experimental medical treatment is not

SPONSOR: Dougherty

HANDLER: Weter

required if the patient is subject to a life-threatening emergency and the institutional review board responsible for the review, approval, and continuing review of the research activity has approved both the research activity and a waiver of informed consent and has both found and documented that the requirements for an exception from informed consent requirements for emergency research, as approved under federal regulations have been satisfied.

This act contains an emergency clause.

This act is identical to SCS/HCS/HB 1601 (2006).

ADRIANE CROUSE

SPONSOR: Mayer

HANDLER: Wright

HCS/SCS/SB 769 - This act permits school districts meeting certain criteria to make a one-time additional transfer from the incidental fund to the capital projects fund in an amount not to exceed forty percent of that district's June 30, 2006 incidental fund. Puxico R-VIII, Valley R-VI, Bismarck R-V, and Caruthersville and are the only school districts known to fit the qualifications delineated in the act. The provisions of this section shall terminate on July 1, 2007.

This act allows school districts to reduce the number of days in the school calendar because of inclement weather occurring after April 1, 2006, during school year 2005-2006. Further, the act allows such districts a waiver of the requirement to schedule make-up days and to provide food service on a summer food service basis if it resumes school with double sessions.

This act contains an emergency clause.

DONALD THALHUBER

SPONSOR: Ridgeway

HANDLER: Cooper

SB 778 - This act requires vessel owners to provide proof that they have paid personal property taxes when applying for or renewing a vessel's certificate of number.

The act also requires vessel owners that are applying for or renewing a certificate of registration for a vessel documented with the U.S. Coast Guard to prove that personal property taxes have been paid on such vessel. The act increases the application fees that must accompany an application for a certificate of number. The application fee for a vessel under 16 feet in length is increased from \$10 to \$25. The application fee for vessels between 16 feet and less than 26 feet is increased from \$20 to \$55. The application fee for vessels between 26 feet but less than 40 feet is increased from \$30 to \$100. The application fee for vessels 40 feet and over is increased from \$40 to \$150. The act directs that the first \$2,000,000 collected from the fees be deposited in general revenue, while the fees collected in excess of \$2,000,000 be deposited in newly created Missouri State Water Patrol Fund. The money in the newly created fund is to be used for the expenses of the state water patrol.

The act provides that within available appropriations under the fund, the commissioner of the water patrol shall establish an equitable pay plan for water patrol members and radio personnel.

STEPHEN WITTE

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**\*\*\* SB 785 \*\*\***

SPONSOR: Alter

HANDLER: Roorda

SB 785 - This act allows any jailer to serve an arrest warrant on a person who is already an inmate in the custody of the facility at which such jailer is employed.

This act is identical to HB 1204 (2006)  
SUSAN HENDERSON MOORE

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**\*\*\* SB 802 \*\*\***

SPONSOR: Shields

HANDLER: Rucker

SCS/SB 802 - This act defines the terms "owner", "registered voter" and "voter" when used in provisions about certain sewer districts.

This act has an emergency clause.  
SUSAN HENDERSON MOORE

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**\*\*\* SB 809 \*\*\***

SPONSOR: Graham

HANDLER: Baker

HCS/SB 809 - This act provides cities, towns, and villages the option of adopting the zoning regulations of the county in lieu of adopting their own municipal regulations through the passage of an ordinance.

SUSAN HENDERSON MOORE

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**\*\*\* SB 819 \*\*\***

SPONSOR: Scott

HANDLER: Emery

HCS/SB 819 - Under current law, individuals who are at least fifty years of age, have twenty years experience, and pass a written exam or oral exam if they have a bachelor's degree or higher in engineering or science, shall be issued a professional land surveyor or engineer license. This act modifies the licensure requirements for engineers and land surveyors by removing the fifty years of age requirement and the oral examination option.

Under the act, a professional land surveyor license shall be issued to applicants who have twenty years experience and pass the fundamentals of land surveying examination, the professional land surveying examination, and the Missouri specific examination.

A professional engineer license shall be issued to applicants who hold a bachelor's degree or higher in engineering, have twenty years of engineering experience, and pass part two of the professional engineering exam. Professional engineer license shall also be issued to applicants who hold a degree from an accredited program, a doctorate in engineering from an institution that offers accredited programs, and passes part two of the professional engineering exam. The doctorate degree must be approved by the licensing board.

This act is identical to HB 1494 (2006).  
CHRIS HOGERTY

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**\*\*\* SB 822 \*\*\***

SPONSOR: Gross

HANDLER: Sater

SB 822 - This act extends the sunsets for the Medicaid Managed Care Organization reimbursement allowance and the Pharmacy Tax from June 30, 2006, to June 30, 2007. The sunset of the Federal Reimbursement Allowance assessment and Nursing Facility Reimbursement Allowance are extended from September 30, 2006 to September 30, 2007.

This act contains an emergency clause.

JASON ZAMKUS

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SPONSOR: Koster

HANDLER: Pearce

HCS/SS/SCS/SB 825 - This act creates the Kansas and Missouri Regional Investment District Compact. Under the act, the compact between Missouri and Kansas allows the Kansas City metro area to pool funds raised across the region to pay for improvements that are regional in nature (and benefit residents throughout the metro area.

GEOGRAPHY OF REGIONAL INVESTMENT DISTRICT - The Residential Investment District created by the compact include the following counties in Missouri: Clay County, Platte County, Jackson County, Cass County, Ray County and Buchanan County. The district would include the following Kansas counties: Wyandotte County, Johnson County, and Leavenworth County. Other cities and counties which become members of the Mid-America Regional Council (MARC) will become part of the district.

COMMISSION - The governing body of the district shall be a commission. The commission shall be composed of the board of directors of MARC. All of the members of the commission shall be elected officials from the jurisdiction that appointed them as voting members of MARC's Board of Directors. A commission member's term is tied with the member's tenure as an elected official of the jurisdiction that is a party to MARC. The compact allows the commission to appoint officers, agents and employees, and allows the commission to determine their qualifications and fix their salaries. All commission meeting shall be open to the public. A simple majority of the commissioners from each state is required to conduct official commission business. The compact provides that the commissioners shall follow the laws of the states they live in regarding conflicts of interest. Commissioners shall be held harmless in legal actions arising out the performance of their duties and will be defended at the expense of the commission. The members of the commission shall serve without compensation, but shall receive payment for their actual and necessary expenses.

POWERS AND DUTIES OF THE COMMISSION – The commission shall function as the planning and administrative arm for the district. The commission shall undertake community planning to identify regional programs and initiatives that will produce significant benefit to the Kansas City metropolitan area. The commission shall prepare program plans for certain regional programs and initiatives in consultation with local officials and the public; prepare ballot questions for programs and initiatives that the commission determines could appropriately be supported by a sales tax authorized by this Compact.

PROGRAM PLAN - The commission shall develop one program plan which describes the content of each regional program. These program plans could be for a public transit system. The program plan will list which county or counties must pass a ballot issue before a sales tax can be imposed. The program plan will establish the duration of the sales tax either by amount of money raised, length of time, or another reasonable measure provided that the sales tax shall not extend beyond the 15 years following the

SPONSOR: Koster

HANDLER: Pearce

date of the first receipt by the county treasurer of revenue. The program plan shall designate the composition of the oversight committee for each regional program.

The commission shall set the election dates for the ballot measures and sales taxes. The commission must submit each ballot measure to the governing body of each county within the district. The commission may provide grants, contributions, donations or other support for program plans. The commission will execute contracts and agreements according to the directives it receives from the oversight committee for each regional program. The compact allows the commission to form partnerships or other business affiliations. The commission may work with MARC and other entities to carry out the purposes of the compact. The commission shall submit an annual report of its operations to the Missouri and Kansas general assemblies, the governors of each state, and the governing bodies of the cities and counties that are members of MARC on or before March 15th of each calendar year.

**BALLOT QUESTIONS – IMPOSITION OF SALES TAX** – The commission shall prepare and make available to the public a program plan for each regional program to be voted upon no later than 120 days prior to the election date. The governing body of each county in the district will determine by resolution, by 2/3 majority vote whether it is in the best interests of the residents of that county to provide financial support for the proposed regional program. If the governing body adopts the resolution, the governing body shall ensure that the ballot question appears in the next primary or general election.

The act outlines what the ballot language must conform to (description of the use and allocation of sales tax proceeds) and limits any proposed sales tax to one-half percent.

The first election held under the proposed compact will include the question of whether a sales tax should be imposed for supporting a public transit system.

If a governing body does not initially decide to put the ballot question up for an election, the governing body may adopt a resolution at a later time to hold an election on the issue. A majority affirmative vote is required to approve the ballot question in each county. The defeat of the ballot question in one county shall not affect the approval of the ballot question in other counties. The defeat of a ballot question does not prohibit the governing body to put the question on the ballot again.

A county which approves the sales tax shall not levy the tax until all the counties listed in the program plan have also passed the sales tax. When all of the counties in the program plan have passed the sales tax, the governing body of each county shall implement the sales tax as soon as feasible.

**TERMINATION OF SALES TAX** - Under the act, a county that has approved a sales tax levy may terminate the tax by submitting the issue to the voters. The vote to terminate the levy of the sales tax shall not take place any earlier than 5 years from the date the sales was first approved. A county that terminates the levying of a sales tax must agree in writing with the commission to:

1. Pay its fair share of outstanding obligations incurred by the district;
2. Pay for ongoing operations and maintenance of facilities built within the county; and
3. Pay for any costs associating with terminating the services within the county.

**ELIGIBLE USES OF FUNDS** – Under the compact created by this act, the monies may be used for the



SPONSOR: Koster

HANDLER: Pearce

following purposes:

1. Actual and reasonably necessary expenses of the commission and the oversight committee (staff personnel, budget and financial consultation, legal assistance, administrative, operational, planning and engineering consultation, marketing and expenses of individual commissioners and committee members);
2. Support of voter approved regional programs within the district;
3. Public transit systems, provided the commission contracts with a public entity to provide the transit services and under the commission's discretion allow a competitive bidding process with third parties to provide the services; and

**OVERSIGHT COMMITTEE** – Under the act, the commission shall appoint an oversight committee. The committee shall consist of local elected officials from each of the counties where the voters approved the ballot measure. The program plan developed by the commission for the ballot measure will specify the composition of the oversight committee. If counties from both Missouri and Kansas pass a ballot proposition, the oversight committee shall include an equal number of representatives from each state. In order for the oversight committee to conduct business, a majority of the committee members from each state must be present at the meeting and must vote in favor of the proposed action. The oversight committee shall be appointed within 45 days after the ballot question has been certified by the county election boards. If one or more counties vote on and approve the program plan at a later date, the commission will add representatives from those counties to the oversight committee. The oversight committee shall fix the time and place of its meetings. Such meetings shall be open to the public. Oversight committee members will be subject to the conflict of interest laws of the state in which the members reside. If a committee member has a conflict of interest, that interest must be disclosed in writing, and the committee member shall abstain voting on the particular matter. The commission shall cover the legal expenses of any committee member which are related to the committee members' duties. The oversight committee for each program plan shall terminate when all the monies derived from the sales tax have been collected and spent.

**POWERS AND DUTIES OF THE OVERSIGHT COMMITTEE** – The oversight committee for each regional plan is charged with overseeing the appropriation and use of sales tax monies. The oversight committee is limited in the use of the funds to expenditures that are consistent with the program plan approved by the voters. If there is an uncertainty in whether the use of the funds would be inconsistent with the program plan, the oversight committee will seek a determination from the commission. Each oversight committee shall request that the commission execute contracts necessary to implement the program plans developed by the commission. The act requires the information provided by the oversight committee to include an annual financial statement prepared in accordance with general accepted accounting principles. The oversight committee for a public transit service regional program shall also provide a report on the operational statistics.

**FINANCE** – The commission will receive funds from each county whose voters have approved a sales tax. The commission or any oversight committee may not incur any debt. The budget of the district shall be prepared, adopted and published for other political subdivisions of Missouri and Kansas. The commission and each oversight committee must keep accurate records of all receipts and expenditures, and have an annual audit by a public accountant. The annual audit shall become part of the commission's annual report. The commission's accounts shall be open to inspection by authorized representatives of the two states and the various political subdivisions participating in the district.

SPONSOR: Koster

HANDLER: Pearce

ENTRY INTO FORCE - The compact will become effective when both Missouri and Kansas have passed legislation incorporating the compact.

TERMINATION - The compact shall remain in force until one of the states passes legislation repealing the enabling statute and sends written notice to the other state. If repealing legislation is passed, and once all the outstanding financial obligations are met, the compact will terminate, the district will be dissolved and the commission shall be abolished. Any remaining funds may be distributed by the commission to organizations for purposes consistent with the program plan.

CONSTRUCTION AND SEVERABILITY – The provisions of the compact shall be liberally construed. The provisions of the compact shall remain in force even if part of the compact is declared unconstitutional by either state. If the entire compact is found to be unconstitutional by either state, the compact shall be void and have no further force or effect.

SOVEREIGN IMMUNITY APPLICABLE – The provisions of the sovereign immunity law shall apply to the regional investment district and the Missouri members of the commission.

COUNTYWIDE SALES TAX FOR DISTRICT – RATE – ADMINISTRATION AND COLLECTION – FUND CREATED - The governing body of any county that has been authorized by a majority of the electors of the county to levy and collect a tax for the purpose of contributing to the financial support of the district shall adopt a resolution imposing a countywide sales tax. The rate of this tax shall be fixed at an amount of not more than one-half percent in the aggregate. Any county levying a countywide sales tax is prohibited from administering or collecting the tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect the tax. The sales tax shall be administered, enforced and collected in the same manner and by the same procedure as other countywide sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. The director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from the countywide sales tax shall be credited to the "Regional Investment Fund." All revenue from a countywide sales tax shall be appropriated by the county to commission within 60 days of receipt of the funds by the county for expenditure by the commission. The countywide sales tax shall not be levied for a period of more than 15 years from the date of first receipt by the county treasurer of revenue unless renewed by the qualified electors prior to its expiration.

STEPHEN WITTE

SPONSOR: Scott

HANDLER: Behnen

SB 828 - This act repeals a provision that was to sunset on August 28, 2006 which authorizes dental hygienists to provide certain dental treatments to children on Medicaid without the supervision of a dentist.

CHRIS HOGERTY

SPONSOR: Ridgeway

HANDLER: Silvey

SCS/SB 830 - This act changes provisions regarding military leave for Kansas City police officers and

SPONSOR: Ridgeway

HANDLER: Silvey

civilian employees. Members of the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City who are on leave of absence due to military service in which the United States has declared war, a compulsory draft, or the combat mobilization of any units of the military reserves are entitled to service credit for the time spent in the military service. During their military service, members are not required to pay any member contributions into the retirement system.

Should it becomes necessary for the years of the service to be included in the calculation of the member's compensation, the member will be deemed to have received the same compensation throughout the period of service as the member's base annual salary immediately prior to the commencement of the leave of absence.

Eligible members who are absent because of the military leave are entitled to federal employment and re-employment rights.

This act is identical to HCS/HB 1138 (2006).

ALEXA PEARSON

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SPONSOR: Nodler

HANDLER: Wilson

HCS/SB 834 - This act alters various provisions of the state's special education policy.

Currently, Section 162.950, RSMo, allows for an optional resolution conference to occur as the first step of due process in special education disputes. This act removes the aforementioned section and therefore the resolution conference option. Further, the act removes other provisions relating to the optional resolution conferences as well as several intersectional references to such.

Current law imposes a forty-five day time line for the completion of the due process hearings. This act removes this forty-five day limit and instead incorporates by reference the requirements of the federal Individuals with Disabilities Education Act (IDEA) standards for such hearings.

The act provides that evaluations of private school students suspected of having a disability under the IDEA will be conducted by the school district in which the private school is located.

DONALD THALHUBER

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SPONSOR: Loudon

HANDLER: Yates

HCS/SB 837 - This act modifies the membership requirements for the board of directors of the Missouri Health Insurance Pool, the membership of the governing committee that administers the Missouri Basic Property Insurance Inspection and Placement Program and modifies the membership of board of directors that governs the Missouri Malpractice Joint Underwriting Association.

The act provides that the board of directors for the Missouri Health Insurance Pool shall consist of the director of the Department of Insurance and eight members appointed by the director. The members appointed by the director shall have a background and experience in health insurance plans, health care finance, or the provision of health care.

SPONSOR: Loudon

HANDLER: Yates

The act provides that the governing committee that administers the Missouri Basic Property Insurance Inspection shall include, in addition to the committee's other members, two members from the Property and Casualty Insurers Association of America, one member from the National Association of Mutual Insurance Companies, and one member from the Missouri Insurance Coalition.

The act provides that the board of directors overseeing the Joint Underwriting Association shall include, in addition to four other directors, two directors that are members of the Property and Casualty Insurers Association of America and two directors who are members of the Missouri Insurance Coalition.

STEPHEN WITTE

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**\*\*\* SB 840 \*\*\***

SPONSOR: Stouffer

HANDLER: St. Onge

HCS/SB 840 - CONVEYANCE OF EXCESS REAL PROPERTY HELD BY HIGHWAY COMMISSION - This act allows the Highways and Transportation Commission to convey or exchange its interest in land or leasehold for the property's approximate fair market value pursuant to any administrative procedure or process as determine by the commission. The commission, at its discretion, will be allowed to convey at no cost or exchange its interest in any land or leasehold that is no longer necessary for its use to any federal, state, or local governmental entity (Section 227.290).

HIGHWAY/BRIDGE DESIGNATION PROCESS - This act modifies the provision of law relating to the highway and bridge designation process. This act provides that a person wanting a highway or bridge designated must submit the proper documents and fees to the Joint Committee on Transportation Oversight no later than November 1 prior to the next regular session of the General Assembly. The act also clarifies that the Joint Committee on Transportation Oversight shall be responsible for approving or denying highway designations, not the House and Senate Committees on Transportation.

The act provides that the signs erected shall be maintained for a 20-year period and after such date, the signs shall be subject to removal unless the sponsoring organization or person files another application to retain the designation. The act provides that the fee for constructing and maintaining the signs shall not exceed the cost of constructing and maintaining each sign. The current law sets the fees at \$400 and \$600 respectively.

Under this act, no bridge or portion of highway may be named after more than person, event, place or organization. Each person, event, place or organization shall only be eligible for one bridge or highway designation. The act also directs the highway designation sign fees to be deposited in the Road Fund rather than the Department of Transportation Bridge and Highway Sign Fund.

STEPHEN WITTE

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**\*\*\* SB 845 \*\*\***

SPONSOR: Kennedy

HANDLER: Johnson

SB 845 - This act allows the Secretary of State to waive reinstatement fees and procedures otherwise required for reinstatement, in the event that a corporation was administratively dissolved due to a failure to file an annual registration report, if the secretary of state concludes that the failure was due to military service. In such a circumstance, the secretary of state shall waive all late fees for all required filings, cancel the certificate of dissolution, and reinstate the corporation.

SPONSOR: Kennedy

HANDLER: Johnson

This act is identical to HB 1427 (2006).

CHRIS HOGERTY

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**\*\*\* SB 863 \*\*\***

SPONSOR: Engler

HANDLER: Robinson

SB 863 - This act modifies the definition of "volunteer fire protection association" to include municipal fire departments that are staffed by volunteers.

This act is similar to HCS/HB 1366 (2006).

SUSAN HENDERSON MOORE

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**\*\*\* SB 870 \*\*\***

SPONSOR: Mayer

HANDLER: Cooper

SCS/SB 870 - This act transfer responsibility for certain payments from the Office of Administration to other state agencies. Currently, the sheriff in certain counties is required to file a claim for services provided to certain offenders with the Office of Administration. This act provides that such filing shall be to the Director of the Department of Corrections. Additionally, the act requires the state council on the arts, rather than the Office of Administration, to be responsible for grants to public television stations.

Single county circuit juvenile courts are required to file a copy of their budget with the Office of State Courts Administrator, rather than the Office of Administration. Finally, the act provides that the Department of Corrections, rather than the Office of Administration, shall be responsible for reviewing and receiving certain documentation regarding payment for incarceration of prisoners as well as receiving certain documentation regarding criminal court costs and fees.

This act contains an emergency clause.

JIM ERTLE

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**\*\*\* SB 871 \*\*\***

SPONSOR: Coleman

HANDLER: Daus

SB 871 - This act modifies provisions regarding the St. Louis City police retirement system. For calendar years beginning on or after January 1, 2003, the act prescribes required minimum distributions to members of the system. The member's entire interest shall be distributed or begin to be distributed to the member no later than the member's required beginning date. If the member dies before distributions begin, the act prescribes to whom the distributions shall be made and the timing of the distributions. If the member's interest is distributed in the form of an annuity purchased from an insurance company, then the act requires distributions to be made in accordance with the Internal Revenue Code. Otherwise, if the member's interest is paid by annuity distributions under the provisions of St. Louis City police retirement system, then the act establishes the intervals and duration of distributions. If the member's interest is distributed in the form of a joint and survivor annuity for the joint lives of the member and a non-spouse beneficiary, payments shall not exceed permissible amounts under United States Treasury regulations. If a member dies before the date that distribution of the interest begins and there is a designated beneficiary, then the act establishes the period of time over which the beneficiary shall receive distributions, depending on when the distributions begin.

SPONSOR: Coleman

HANDLER: Daus

A distribution for calendar years 2003, 2004 and 2005 shall not fail to satisfy certain provisions of the Internal Revenue Code merely because the payments do not satisfy certain U.S. Treasury regulations as long as the payments satisfy requirements of the Internal Revenue Code.

Currently, a member shall be repaid the total amount of the member's mandatory contributions to the retirement system, upon termination of employment as a police officer and actual service requirement. This act authorizes a member to request payment of such contributions and, upon such a request, the board shall make such payment.

The act prohibits the board of trustees from paying an eligible rollover distribution of \$5,000 or less to a member or retired member who has not attained age sixty-two unless such member consents in writing to receive the distribution in cash or to have the distribution directly rolled over in accordance with current law.

If a retroactive payment is made to a member, surviving spouse, dependent child or other beneficiary for any reason, a lump sum equal to the sum of the retroactive monthly payments, plus interest, shall be paid.

This act is identical to HB 1466 (2006).

ALEXA PEARSON

SPONSOR: Gibbons

HANDLER: St. Onge

HCS/SS/SCS/SBs 872, 754 & 669 - This act enacts various provisions relating to the safe operation of motor vehicles to ensure the safety of highway workers, emergency workers and other motorists.

HIGHWAY WORK ZONE SAFETY - This act increases various penalties for offenses occurring within highway work zones or construction zones. Under this act, any person convicted of a second or subsequent moving violation within a work zone shall be assessed a fine of \$75. The act provides that a person who is convicted of speeding or passing a vehicle within a work zone when a highway worker is present a second or subsequent time shall be assessed a fine of \$300 in addition to any other fine authorized by law (Section 304.582). The act also creates the crime of "endangerment of a highway worker." The act provides that if a person commits the offense of endangerment of a highway worker in which no injury or death results the person shall be subject to a fine of not more than \$1,000 and shall have 4 points assessed to their driver's license. The person shall be guilty of aggravated endangerment of a highway worker if a death or injury results. If an a highway worker is injured or killed in a workzone, the offender shall be subject to a fine of not more than \$5,000 for an injury and not more than \$10,000 if death resulted and have 12 points assessed to his or her license.

Under the act, a person commits the offense of endangerment of a highway worker if the motorist:

- (1) Exceeds the posted speed limit by 15 mph or more;
- (2) Passes another vehicle in a work zone and such offense results in the death or injury of a highway worker;
- (3) Fails to stop for a work zone flagman or fails to obey traffic control signals erected in the work zone;

SPONSOR: Gibbons

HANDLER: St. Onge

- (4) Physically assaults or attempts to assault a highway worker with a motor vehicle or other instrument;
- (5) Intentionally strikes or moves barrels, barriers, signs or other devices erected to control the flow of traffic for a reason other than avoidance of an obstacle, an emergency or to protect the health and safety of another person; or
- (6) Commits various offenses in which points may be assessed under section 302.302 (Section 304.585).

The act provides for the assessment of 4 points (Senate perfect version provided for the assessment of 8 points) for an endangerment of a highway worker violation and 12 points for an aggravated endangerment of a highway worker violation (Section 302.302).

**CLUTCH'S LAW (FAILURE TO YIELD)** - This act imposes an additional penalty and driver's license suspension on any person failing to yield the right-of-way when the violation results in physical injury, serious physical injury, or death to a person (Section 304.351). This act is commonly known as "Clutch's Law". This section has an effective date of January 1, 2007. This portion of the act is similar to HB 1080 (2004).

**MOVE-OVER LAW** - This act increases the penalty on motorists who fail to move over when approached by an oncoming emergency vehicle and motorists who fail to move over when approaching a stationary emergency vehicle from a Class B misdemeanor to a Class A misdemeanor (Section 304.022).

**INVOLUNTARY MANSLAUGHTER/ASSAULT IN 2ND DEGREE** - Under this act, a person commits the crime of involuntary manslaughter in the 1st degree if he or she fails to move over into another lane of traffic or slow down when he or she approaches a stationary emergency vehicle and with criminal negligence causes the death of an emergency worker. A violation in this nature is a Class B felony (Section 565.024). Under this act, a person commits the crime of assault in the 2nd degree if he or she fails to move over into another lane of traffic or slow down when he or she approaches a stationary emergency vehicle and with criminal negligence causes injury to an emergency worker performing his or her official duties. These provisions are also contained in HB 1310 (2006).

**SCHOOL BUS** - This act enhances the penalties for those who fail to stop for school buses that are loading or unloading children. Under the act, any person who fails to properly yield for a school bus and the failure to yield results in the injury of any child shall be guilty of a Class D felony. Any person who fails to properly yield for a school bus where such violation causes the death of any child shall be guilty of a Class C felony. This provision is contained in SB 1079 (2006)(Section 304.070).

**BAC OR CHEMICAL TESTS (ALAN WOODS LAW)**- Under this act, a person involved in a motor vehicle accident that results in serious physical injury is deemed to have given consent to chemical tests of the person's blood, breath, saliva or urine to determine alcohol or drug content. The act also modifies the type of information that must be provided to the person subjected to the chemical test. Under the act, the person shall receive information regarding the type of test administered and the procedure followed, the time of the collection of blood, breath or urine, the numerical results of the test indicating the blood alcohol content, the type and status of any permit held by the person performing the test, and the date of performance of the most recent maintenance of the breath testing instrument. Full information regarding the test does not include manuals, schematics or software of the instrument used to test the person or other material not in possession of the state. Law enforcement officers are directed to conduct chemical tests to motorists suspected of driving a motor vehicle involved in a collision which resulted in a fatality or

SPONSOR: Gibbons

HANDLER: St. Onge

serious physical injury (section 577.020 and section 577.021). These provisions can be found in the House Committee Substitute version of SB 969 (2006).

**CHILD PASSENGER RESTRAINT LAW** - This act modifies the law with respect how motorist must restrain children in motor vehicles.

This act modifies the law with respect to the use of child passenger safety restraint systems and booster seats. The act requires children of certain ages, weights and heights to be restrained by either a child passenger restraint system, booster seat or safety belt.

#### AGE/WEIGHT/HEIGHT CLASSIFICATION -

1. **LESS THAN 4 YEARS OLD** - This act requires children less than four years old, regardless of weight, to use an appropriate child passenger restraint system.
2. **LESS THAN 40 POUNDS** - The act requires children weighing less than 40 pounds, regardless of age, to be secured in a child passenger restraint system appropriate for the child.
3. **LESS THAN 8 YEARS OLD/80 POUNDS OR UNDER 4'9"** - Children (ages 4-7) and who weigh at least 40 pounds but less than 80 pounds, and are less than 4'9" tall must be secured in a child passenger restraint system or booster seat appropriate for that child.
4. **GREATER THAN 80 POUNDS OR TALLER THAN 4'9"** - Children who are at least 80 pounds or children taller than 4'9" shall be secured by a vehicle safety belt or booster seat appropriate for that child.

The act allows a child to be transported in back seat without a booster seat if the child is secured with a lap belt if the vehicle is not equipped with combination lap and shoulder belt for booster seat installation.

The act also provides that when transporting children in the immediate family when there are more children than there are seating positions in the enclosed area of a motor vehicle, the children who are not able to be restrained by a child safety restraint device appropriate for the child shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front seat area. The driver transporting children under this scenario shall not be in violation of the child seat restriction law.

A violation of the child passenger restraint/booster provisions is an infraction and the fine is \$50 plus court costs. The fine for violating the safety belt provision of the act is \$10. Charges for violating the child passenger restraint and booster seat provisions shall be dismissed or withdrawn if the driver provides evidence that he or she acquired a child passenger restraint system or booster seat prior to or at his or her hearing. The act does not apply to public carriers for hire or to students four years of age or older who are passengers on a school bus designed for carrying eleven passengers or more and which is manufactured or equipped pursuant to Missouri Minimum Standards for School Buses (Sections 307.178 and 307.182).

The act provides that if there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the passengers who are unable to wear seat belts shall sit in the area behind the front seat unless the vehicle is designed only for a front-seated area. This provision does not apply to passengers who are accompanying an intermediate driver's license holder. Under current law, all passengers accompanying a intermediate driver's license holder must be properly restrained. (Subsection 7 of Section



SPONSOR: Gibbons

HANDLER: St. Onge

307.178). The act provides that the \$10 fine for failing to wear a seat belt shall apply to "persons" rather than just "drivers" (section 307.178.5).

The child seat provisions of the act are substantially similar to HB 1165 (2006), SS/SCS/HCS/HB 518 (2005), SCS/SB 221 et al (2005), SB 710 (2004), SB 9 (2003), SB 647 (2002) and SB 549 (2001).

STEPHEN WITTE

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SPONSOR: Engler

HANDLER: Robinson

SB 881 - This act authorizes the Governor to convey state property to St. Francois County.

SUSAN HENDERSON MOORE

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SPONSOR: Scott

HANDLER: Cunningham

HCS/SS/SCS/SB 892 – This act allows a financial institution to charge for processing refused negotiable instruments and payment orders. This act also provides that a debtor is not entitled to receive notice of the right to cure, in the case of a second mortgage loan, after the third default before the lender can enforce the security interest. Upon the third default, the debtor may no longer cure.

This act also adds late charges and expenses of foreclosures incurred by the lender to the definition of "current obligation of the debtor," which must be paid to cure a default on a second mortgage loan.

Under current law, applicants for licensure to issue or sell checks must post a twenty-five thousand dollar corporate surety bond. This act raises that amount to one hundred thousand dollars. The bond may be used to pay costs incurred by the Division of Finance to remedy breaches of obligations by the applicant or pay examination costs not paid by the applicant.

For all licensees selling payment instruments or stored value cards, the required amount of the bond for renewal of the license shall be five times the high outstanding balance from the previous year with a minimum of one hundred thousand dollars and a maximum of one million dollars.

For all licensees receiving money for transmission, the required amount of the bond for renewal of the license shall be five times the greatest amount transmitted in a single day during the previous year with a minimum of one hundred thousand dollars and a maximum of one million dollars.

The Director of Finance may, when necessary, examine any licensee and the cost shall be paid by the licensee.

The director shall investigate the character and fitness of each licensee before initial licensure and renewal. The director may charge up to \$100 for applications to amend and reissue licenses.

Under current law, financial institutions must submit a list showing all paper past due thirty days or more at their monthly meetings. This act allows the institutions, in the alternative, to submit a list of the total past due ratio for loans that are thirty days or more past due, nonaccrual loans divided by the total loans, and a list of past due loans in excess of a minimum amount set by the board not to exceed five percent of the bank's legal loan limit but the minimum amount may not be less than ten thousand dollars.

SPONSOR: Scott

HANDLER: Cunningham

Collateral to the indebtedness does not have to be described as of the date of the lists.

The act specifies that financial institutions shall be served process according to the Missouri Rules of Civil Procedure describing service of corporations. State or federally chartered banks, trust companies, and thrift institutions may appoint a service agent and register that person with the Director of Finance.

The act allows the Director of Finance to receive service of process for out-of-state banks or trust companies. Currently the Director of Revenue shall collect \$2 for each copy of process. This act raises the amount to be collected by the director to \$10.

This act provides for an income tax credit for shareholders of S corporation savings and loan association holding companies and credit institutions based on the pro rata share of corporate franchise tax paid by such association or institution.

The act bars industrial loan companies and industrial banks from operating in Missouri.

The act also provides that a person seeking a repossession title to a motorboat, vessel or watercraft, or a manufactured home must present a notice of lien receipt or the original certificate of ownership reflecting the holder's lien. The act removes the requirement that the lienholder must present the original or photostatic copy of the security agreement. Instead, the act requires presentation of an affidavit that the lienholder has the written consent of all owners or lienholders of record to repossess the vessel, motorboat or watercraft or has provided such parties with written notice of the repossession. The act also imposes specific notice requirements upon the lienholder that are similar to the requirements for persons repossessing motor vehicles. The lienholder must give 10 days written notice by 1st class U.S. mail to the owners and other lienholders.

The act modifies certain provisions of the Uniform Trust Code. The act defines "ascertainable standard" as one relating to an individual's health, education, support, or maintenance under the Internal Revenue Code. The "power of withdrawal" is redefined to encompass the power of a beneficiary to withdraw assets from the trust without the consent of the trustee or any other person. Similarly, "revocable" as applied to trusts means that the settlor has the legal power to revoke the trust without consent of the trustee or person holding an adverse interest regardless of whether the settlor has the mental capacity to do so in fact.

Settlors may designate by the terms of the trust permissible distributees to receive notification of the trust and other information related to its administration. In trusts where a gift tax marital deduction has been claimed, and the settlor's marriage has been dissolved or annulled, beneficial terms of a trust in favor of the former spouse or fiduciary appointment of the spouse shall not be revoked. Such a situation shall not result in an incomplete gift for federal gift tax purposes or the inclusion of assets of a trust in the gross estate of a settlor for federal estate tax purposes.

A beneficiary who is not a qualified beneficiary may be represented and bound by a qualified beneficiary, as long as there is no conflict of interest between such persons with regard to the question or dispute.

Noncharitable irrevocable trusts may be modified or terminated upon consent of the settlor and all beneficiaries without court approval, unless the trust has been established by a court under certain provisions of law.

SPONSOR: Scott

HANDLER: Cunningham

The act also makes Section 456.4-411B, which provides that the court may terminate or modify the terms of a noncharitable trust in certain instances, applicable to trusts that become irrevocable on or after January 1, 2005, and makes Section 456.590, which allows the court to confer certain powers on trustees in certain instances, applicable to all trusts that become irrevocable prior to January 1, 2005.

A beneficiary's interest in a trust that is subject to the trustee's discretion shall not constitute an interest in property or enforceable right. A creditor or claimant may not attach distributions from such a right, if it exists, regardless of whether or not the interest is subject to a spendthrift provision.

Additionally, the act abolishes the doctrine of worthier title and the Rule in Bingham's case as a rule of law and as a rule of construction.

This act is similar to SB 1087, SCS/SB 993, SCS/SB 781, and HB 1234 (2006).

CHRIS HOGERTY

SPONSOR: Scott

HANDLER: Emery

HCS/SB 893 - This act relates to taxes for districts that provide emergency services.

Currently, any municipality, fire protection district, or central fire and emergency services board may levy a tax of not more than 3% and the money shall be used only for establishing a joint central fire and emergency dispatching service. Under this act, this money may also be used in St. Louis County by municipalities, counties or districts, which contract with such joint central fire and emergency dispatching service, for certain expenditures for equipment and services. This act makes a technical change by removing one version of Section 321.243, RSMo, that is currently doubly-enacted.

This act removes the requirement that the central fire and emergency services board, located in St. Charles County, shall meet once a month.

This act prohibits any ambulance or fire protection district from reducing the rate of such district's sale tax, rather than the collector.

SUSAN HENDERSON MOORE

SPONSOR: Nodler

HANDLER: Muschany

CCS/HCS/SS/SCS/SB 894 - This act renders several alterations to the state's education policy.

SECTION 160.775: This act requires every school district to adopt an anti-bullying policy no later than September 1, 2007. The act defines the term "bullying" and asserts that the policy shall not contain specific lists of protected classes of students. The policy shall require district employees to report any bullying instance of which the employee has firsthand knowledge.

This section is similar to SB 674 (2006).

SECTION 163.011(2): This act disallows summer school physical education hours that do not count

SPONSOR: Nodler

HANDLER: Muschany

as credit toward graduation for students in grades nine, ten, eleven, and twelve to be utilized when calculating a district's average daily attendance.

SECTION 163.011(10)(b): When calculating the local effort component of a district's state aid calculation, the formula utilizes information from fiscal year 2005. In subsequent years, this figure is adjusted to include any increase in the amount received for school purposes from fines.

This act adds a provision that would adjust the local effort figure to include any decrease in the amount received for school purposes from fines in any school district located entirely in St. Charles county, provided that the county creates a county municipal court after January 1, 2006.

This section is similar to SB 970 (2006).

SECTION 163.021: This act requires any school district that levies an operating levy for school purposes that is less than the performance levy to provide written notice to the Department of Elementary and Secondary Education asserting whether or not such district is providing an adequate education to the students of the district. If a district asserts that it is not providing an adequate education, such inadequacy shall be deemed to be a result of insufficient local effort. The performance levy is \$3.43.

The provisions of this section shall not apply to any Special School District.

This act is identical to the perfected SCS/SB 894 (2006).

SECTION 163.031.4(7): Currently, the phase-in period of the SB 287 formula contains a provision that reduces current-year funding for any district that decreases its summer school average daily attendance below 15 percent of the district's 2005-2006 summer school average daily attendance. The level of such funding reduction is pegged to the district's drop in summer school attendance from the 2005-2006 summer school attendance.

This act alters the aforementioned policy by phasing the threshold for allowable decreases in summer school attendance upward in the following intervals: 20 percent for the 2006-07 summer school term; 30 percent for the 2007-08 summer school term; and 35 percent for the 2008-09 through the 2011-12 summer school terms. The act applies the aforesaid reduction only to the percent reduction that is in excess of the threshold rather than the reduction from the base 2005-2006 summer school amount. The amendment exempts from the funding reduction provision any school district eligible to receive a small school grant and any school district with a regular term average daily attendance of three hundred fifty students or fewer. Further, the act asserts that the funding reduction provision shall not be construed to permit any reduction that results in any hold harmless district receiving a current-year payment that is less than their hold harmless payment amount.

This section is similar to SB 644 (2006).

SECTION 1: This act requires the Department of Elementary and Secondary Education to develop a "ready to work" endorsement program no later than June 30, 2007. The program will award a certificate to students who complete the program. The act delineates the program's components and the stakeholders who shall be involved in policy development.

SECTION 2: This act requires the City of St. Louis School District to report to the Children's Division

SPONSOR: Nodler

HANDLER: Muschany

within the Department of Social Services any student younger than 17 years of age who incurs 15 or more absences in any one school year. The division will contact the parents or guardians regarding the absences and the possibility that they are subject to the educational neglect provisions under Section 210.145, RSMo.

This section is identical to HB 1946 (2006).

SECTION 3: If a school district has been classified as unaccredited within the previous five school years and the district is subsequently classified as provisionally accredited, the district shall be subject to lapse on June 30 of any school year in which the state board of education withdraws provisional accreditation or at a later date as determined by the state board of education.

The provisions of this section shall become effective January 1, 2010.

DONALD THALHUBER

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SPONSOR: Shields

HANDLER: Moore

SB 900 - This act modifies the Missouri Commission for the Deaf and Hard of Hearing Fund by removing language that provides for moneys in the fund to revert to the credit of the general revenue fund.

ADRIANE CROUSE

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SPONSOR: Goodman

HANDLER: Baker

SS/SCS/SB 912 - This act requires the State Board of Education to establish a virtual public school by July 1, 2007.

Any student in kindergarten through grade 12 may enroll, regardless of the physical location within the state in which the student resides. State school aid will treat the student as part of the enrollment of the district in which the student physically resides at the choice of the student's parent or guardian. The virtual public school will report aid-related data to the district of residence. The school district will receive 15% and the virtual public school will receive 85% of the state aid attributable to the student. A full-time equivalent student is one who completes six credits per regular term, and each virtual course counts as one class.

This act requires the Department of Secondary and Elementary Education and the State Board of Education to ensure that multiple content providers are allowed.

The virtual public school must comply with all laws applicable to school districts including the state accreditation program, adequate yearly progress, annual performance report, teacher certification, and curriculum standards.

DONALD THALHUBER

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SPONSOR: Scott

HANDLER: Rector

SB 919 - This act repeals the statute permitting the city council of any third class city to prohibit and

SPONSOR: Scott

HANDLER: Rector

punish the carrying of a concealed deadly weapon.

SUSAN HENDERSON MOORE

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SPONSOR: Scott

HANDLER: Parson

SB 931 - This act gives property owners one vote per acre when electing directors for a transportation development district. Under current law, qualified votes only get one vote regardless of property ownership.

STEPHEN WITTE

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SPONSOR: Scott

HANDLER: Wilson

CCS/HCS/SCS/SB 932 - This act modifies provisions relating to county officials.

**SECTION 49.292**

This section allows a county commission to reject the transfer of title of real property to the county by donation or dedication if it is in the best interest of the county to do so. The preparer of a document donating or dedicating real property to a county cannot submit the document for recording unless the grantee's acceptance is proved or acknowledged.

**SECTION 50.327**

This section establishes the salary schedule for public administrators in counties of the second, third, and fourth classification, who choose to be paid by salary and who are considered full-time county officials, as the base schedule for those officials, unless the current salary is lower than the compensation in the schedule.

**SECTION 50.339**

This section allows the Cape Girardeau County Salary Commission to meet in 2007 to determine whether to equalize the base salaries of the treasurer and public administrator with the base salaries of the auditor and recorder of deeds.

**SECTION 52.230**

This section requires all counties with a charter form of government to mail property tax statements and receipts to taxpayers at least 30 days before being due. Currently, statements are required to be mailed at least 15 days before the due date.

**SECTION 54.040**

This section requires any candidate for county treasurer to be at least twenty-one years of age and a resident of the state and county for at least one year prior to the general election. The candidate must also be a registered voter and shall be current in the payment of personal and real estate taxes. Upon election, the person must continue to reside in the county during his or her tenure.

**SECTION 59.331**

With limited exceptions, these sections prohibit the preparer of a document from including "sensitive personal identifying information" in a document that is prepared for the recorder. Such information includes federal social security numbers, bank account numbers, and credit card account numbers.

SPONSOR: Scott

HANDLER: Wilson

Currently, only the use of social security numbers is prohibited.

If a person's sensitive personal identifying information appears on a document, the preparer, submitter, or anyone in an agency relationship with the person may redact, remove, or delete such information before submitting it to the recorder. The redaction of such information shall not affect the legal status of the transaction described in the document. The Recorder of Deeds shall not alter or modify any document except as otherwise provided by law.

This section is similar to certain provisions of SB 1011 (2006).

**SECTION 59.332**

If any sensitive personal identifying information in a record is viewable on the Internet website of the Jackson County Recorder of Deeds, any person may apply in writing to the recorder for redaction or removal of the information. Upon receiving such application, the recorder of deeds may redact or remove the document from the records viewable on the Internet.

This section is similar to certain provisions of SB 1011 (2006).

**SECTIONS 228.040, 228.070 & 228.190**

These sections allow county commissions, at their discretion, to open a county road. After January 1, 1990, any county road for which the county receives county aid road trust funds for at least five years shall be deemed a "public county road" without the need for further proof. The county highway engineer is no longer required to examine and approve a road or road change before the county commission takes action on the road.

**SECTION 473.748**

This section makes any term or provision in a contract unenforceable if it requires a public administrator who is acting as a guardian to personally pay or guarantee the debt of a ward or protectee.

SUSAN HENDERSON MOORE

SPONSOR: Scott

HANDLER: Bruns

SB 933 - This act transfers the duty of appointing railroad policemen from the Superintendent of the Missouri State Highway Patrol to the Director of the Department of Public Safety.

SUSAN HENDERSON MOORE

SPONSOR: Engler

HANDLER: Tilley

SCS/SB 934 - Under current law, barber shop and cosmetology establishment owners must obtain a license before commencing business. This act establishes a 45-day grace period for obtaining a license when a barber shop or a cosmetology establishment either changes ownership or location. During this period, the sanitary inspector shall conduct inspections without requiring the establishment to close business or deviate from its regular hours of operation.

This act is identical to HCS/HB 1551 (2006).

CHRIS HOGERTY

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**\*\*\* SB 936 \*\*\***

SPONSOR: Vogel

HANDLER: Jones

SB 936 - This act allows county library boards to issue bonds for up to 5% of the value of property within the district, rather than 1%.

SUSAN HENDERSON MOORE

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**\*\*\* SB 964 \*\*\***

SPONSOR: Crowell

HANDLER: Jackson

SB 964 - This act provides that the Adjutant General may no longer assign a third assistant adjutant general in the grade of major general or below. However, general officers of the line federally recognized in the grade of major general may be reassigned as a State Assistant Adjutant General without change in grade or branch.

The act also provides that Assistant Adjutant Generals must have at least ten years of military service as a commissioned officer with any military force, with at least five years of the service being in field grade.

Assistant Adjutant Generals shall serve at the pleasure of the Adjutant General, and perform any such duties as assigned by the Adjutant General. If the Adjutant General is unable to perform his or her duties, the senior Assistant General may perform such duties, under the direction of the Governor.

The act also eliminates the provision which stated that the Assistant Adjutant General shall serve in the grade and receive such compensation as the Adjutant General determines.

ALEXA PEARSON

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**\*\*\* SB 974 \*\*\***

SPONSOR: Shields

HANDLER: Dempsey

SB 974 - This act extends the date for the Department of Mental Health to complete a mental health service plan for persons on waitlists from November 1, 2003, to November 1 of each year beginning November 1, 2007.

ADRIANE CROUSE

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**\*\*\* SB 980 \*\*\***

SPONSOR: Clemens

HANDLER: Moore

HCS/SB 980 – This act creates the urban flight and rural needs scholarship program to provide scholarships for students entering teacher education programs who commit to teaching at schools with a higher than average at-risk population. Teachers must teach two years for every year he or she receives the scholarship.

Under current law, student loans are available to students who have applied to be a full-time nursing student. This act redefines eligible student so that only students who have been accepted as full-time nursing students are eligible for the loans. Under current law, 25% of the loan is forgiven for each year of full-time employment as a licensed nurse. This act allows for forgiveness of all of the financial assistance in the event of full-time employment.



SPONSOR: Clemens

HANDLER: Moore

This act is similar to HB 1234 (2006).

CHRIS HOGERTY

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SPONSOR: Goodman

HANDLER: Behnen

HCS/SB 981 - Currently, a member of the Highway Patrol cannot accept other employment without the written permission of the Superintendent. This act would also allow members to take secondary employment under a general order issued by the Superintendent setting forth the circumstances under which such employment would be allowed.

This act is similar to HB 1393 (2006).

SUSAN HENDERSON MOORE

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SPONSOR: Vogel

HANDLER: Bruns

SB 990 - This act designates a portion of State Highway 179 in Cole County as the "Wyman S. Basinger Memorial Highway." The act also designates the intersection of Highway 72 to the intersection of Highway DD in Dent County as the "Deputy Joann Barnes Memorial Highway".

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SPONSOR: Griesheimer

HANDLER: St. Onge

CCS/HCS/SCS/SBs 1001, 896, & 761 - This act modifies lawful presence requirements for drivers' license, modifies graduated driver's license law and allows highway commission to revoke licenses and registration of motor carriers in certain circumstances.

LAWFUL PRESENCE - The act exempts persons 65 years of age or older who were previously issued a Missouri noncommercial driver's license, permit or nondriver's license from submitting proof of law presence. The act allows persons who have held a Missouri driver's license for a period of 15 years or more and do not have the required documents to prove lawful presence to obtain a one-year driver's license renewal. After the expiration of such period, the person must provide proof of lawful presence.

REVOCATION OF MOTOR CARRIER REGISTRATIONS - This act allows the state Highway Commission to suspend, revoke or cancel the registration, license, permit or other credential issued to a motor carrier if a federal agency or the commission has issued an out-of-service order against the motor carrier. The law is applicable to out-of-service orders placing a motor carrier's entire operation out of service but does not apply to out-of-service orders placing an individual driver or vehicle out of service. If the commission issues an order under this act, the motor carrier shall not operate any commercial motor vehicles and shall not allow any employees to operate any commercial motor vehicles in intrastate or interstate commerce. After the commission has issued an order, the motor carrier shall surrender all license plates, motor carrier licenses, registrations, permits, and other credentials. After the commission has issued an order, the out-of-state motor carrier shall not be eligible to apply for the issuance or reinstatement of any license, registration, permit, certificate or other credential until the out-of-service order has been rescinded or the orders have been set aside by a court of proper jurisdiction. The act establishes provides that any federal or state order shall be admissible in administrative and court proceedings and that such orders shall constitute prima facie evidence that the motor carrier violated

SPONSOR: Griesheimer

HANDLER: St. Onge

federal regulations or that the motor carrier's operation of commercial motor vehicles poses an imminent hazard (Section 226.009). This section is contained in SB 761 (2006).

**GRADUATED DRIVER'S LICENSE LAW** - This act modifies Missouri's graduated driver's license law with respect to the number of hours of instruction and passenger restrictions.

**HOURS OF BEHIND-THE-WHEEL INSTRUCTION** - This act increases the number of hours of behind-the-wheel driving instruction that one must complete in order to obtain a temporary instruction permit. The current law requires 20 hours of instruction while the act proposes 40 hours of instruction, including a minimum of 10 hours of nighttime instruction. This requirement is effective January 1, 2007.

**PASSENGER RESTRICTIONS** - The act places passenger restrictions on individuals who possess an intermediate driver's license. For the first six months after issuance of the intermediate driver's license, the holder of the license shall not operate a motor vehicle with more than one passenger who is under the age of 19 who is not a member of the holder's immediate family. After the expiration of the first six months, the holder of an intermediate driver's license shall not operate a motor vehicle with more than three passengers who are under 19 years of age and who are not members of the holder's immediate family. The passenger restrictions do not apply to an intermediate driver's license holder who is operating a vehicle being used in agricultural work-related activities.

The act provides that any person who violates the provisions of the intermediate driver's license law or the temporary permit law shall be guilty of an infraction and no points shall be assessed to their driving record for any such violation (Sections 302.130 and 302.178). The act also provides that an intermediate driver's license holder may apply for a full driver's license (unrestricted) within 30 days of the applicant's birthday provided certain conditions are met (House Committee Substitute).

**THIRD-PARTY TESTERS** - Under this act, the director of revenue shall only issue or renew third-party tester certifications to junior colleges or community colleges, or to private companies who own, lease or maintain their own fleet and administer in-house testing to their employees or to school districts and their agents that administer in-house testing to the school district's or agent's employees. (House Amendment) (section 302.720).

STEPHEN WITTE

SPONSOR: Mayer

HANDLER: Black

**HCS/SB 1002** - This act allows a fee to be annually imposed in addition to the maintenance tax if the board of supervisors of a drainage district determines that the costs of preparing and processing the district's maintenance tax statement exceed the amount of the tax imposed.

JASON ZAMKUS

SPONSOR: Mayer

HANDLER: Bruns

**SCS#2/SB 1003** - This act authorizes the Governor to convey state property located in St. Louis, Cole, Lincoln, Greene, St. Francois, Stoddard and Jackson counties and the City of St. Louis.

This act contains an emergency clause.

SPONSOR: Mayer

HANDLER: Bruns

This act is similar to HB 1350 (2006).

SUSAN HENDERSON MOORE

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**\*\*\* SB 1008 \*\*\***

SPONSOR: Klindt

HANDLER: Myers

SCS/SB 1008 - This act creates the Governor's Advisory Council on Agricultural Science and Technology. The council shall be responsible for identifying and appraising the Governor on new areas of agricultural science and technology as well as providing comment on regulatory matters, long-term needs for the agricultural science and technology sector, new developments in forestry technologies, and future opportunities for the plant biotechnology industry within the state.

MEGAN WORD

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**\*\*\* SB 1014 \*\*\***

SPONSOR: Scott

HANDLER: Stevenson

CCS/HCS/SS#2/SCS/SBs 1014 & 730 – Under the act, the Supreme Court shall establish a three judge panel in each district of each court of appeals, to process petitions from election authorities in case of various disasters and emergencies. Elections may be moved or postponed upon approval of such petitions by the panel.

Challenges to a voter's identification may be made only to the election judges or other election authority. If the challenger is not satisfied with the decision of an election judge, he or she can report to the election authority according to other subsections in this section.

The act allows community college districts to forgo elections for board of trustees if there is only one candidate.

Under current law, election authorities shall arrange registration cards in binders or authorize the creation of computer lists to document voter registration. This act requires election authorities to use the Missouri voter registration system to prepare a precinct register of legally registered voters for each precinct.

The act bars persons from compensating others for registering voters. Those who agree to or offer to submit a voter registration application for another person shall not knowingly destroy, deface, or conceal such an application and shall submit the application to the election authority within seven days of accepting the application. Those in violation of these provisions are guilty of a class four election offense.

Persons paid for soliciting more than ten voter registration applications, other than those paid by the government, must register with the secretary of state as a voter registration solicitor. A solicitor must be eighteen years old, registered to vote in Missouri, and register for every election cycle. Penalties for the failure to register are provided in the act.

The act allows anyone who believes a violation of the Help America Vote Act has occurred, is occurring, or is about to occur may file a complaint with the Elections Division of the Secretary of State's office. Complaint requirements are established.

SPONSOR: Scott

HANDLER: Stevenson

Currently, election authorities must provide polling places with 55 ballots for each 50 and fraction of 50 registered voters. Under the act, for elections in charter counties with a population between 250,000 and 350,000, the election authority may provide each polling place with 55 ballots for each 50 and a fraction of 50 voters registered in the district. In elections other than general elections in other counties, election authorities must provide polling places with at least one and one-third times the number of ballots that were cast at the polling place during an election held two years prior to the current election. For general elections in such counties, the authority must provide at least one and one-third times the number of ballots cast at the polling place during an election held four years prior to the current election.

The act amends personal identification requirements to be shown to gain voter eligibility at polling places. The identification must include the individual's name and photograph, and must have not expired before the date of the most recent general election and be issued by the United States or the state of Missouri or issued by the Missouri National Guard, the US armed forces or the Veteran's Administration unless it is a non-expiring or non-expired Missouri nondriver's license or a non-expired Missouri driver's license. Voters with physical or mental disabilities, handicaps or sincerely held religious beliefs and those born on or before January 1, 1941 who do not have sufficient identification are exempt from the requirement if they execute an affidavit stating such a sufficient reason. These individuals may cast a provisional ballot.

The Secretary of State shall provide advance notice of the personal ID requirements via advertisements and public service announcements delivered through a variety of media.

The act allows for issuing non-driver's licenses with photographic images to fulfill the identification requirement. The state of Missouri shall pay all the legally required fees for applicants for non-driver's licenses. Elderly and disabled persons shall be issued a non-driver's license through a mobile processing system operated by the Department of Revenue at no cost. The mobile processing system shall operate at convalescent, nursing, and boarding homes and other public places accessible to and frequented by the elderly and disabled. At least 9 units will remain on hand for dispatch. (These provisions go into effect upon the Governor's signature of this act. Section 115.427.7)

The Department of Revenue shall deliver a yearly report documenting the number of individuals who have acquired nondriver's license identification for the purposes of voting and those who have requested them but have been denied.

Procedures to be followed to establish a voter's eligibility to vote at a polling place are established. Provisional ballots are allowed in some circumstances. Prior to counting provisional ballots, the election authority must determine if the voter is registered and eligible to vote, and the vote was properly cast. Procedures for this determination are included in the act.

State courts do not have jurisdiction to extend polling hours. The act repeals provisions that allow straight ticket voting.

The act allows children under 18 to accompany parents, grandparents and guardians into voting booths and procedures for inspecting ballot cards are established.

The act makes the engaging in any act of violence, destruction of property having a value of five hundred dollars or more, or threatened act of violence with the intent of denying a person's lawful right to

SPONSOR: Scott

HANDLER: Stevenson

participate in the election process, and knowingly providing false information about election procedures for the purpose of preventing someone from going to the polls, a class one election offense and a felony.

This act contains an emergency clause that only applies to Section 115.427.

CHRIS HOGERTY

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SPONSOR: Gross

HANDLER: Schneider

SB 1016 - Under current law, county commissions must set the tax rates by August 10th. This act requires the tax rates to be set by county commissions by September 20th.

The act contains an emergency clause.

JASON ZAMKUS

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SPONSOR: Clemens

HANDLER: Loehner

CCS/HCS/SB 1017 - The act changes the official rating agency for the enforcement of standards relating to milk production from the Department of Health to the State Milk Board. The act requires that the board make an official rating survey at least biannually, a change from the current law which requires such a survey be made annually.

The act creates the "Family Farms Act", a loan program established by the Missouri small business development authority for the purchase of beef and dairy cattle, sheep, goats and swine. The eligibility requirements are laid out in the act as are the maximum loan amounts available under the program and the considerations that are to be weighed by the authority when deciding upon a loan application. The act waives the interest payments for any approved farmer for the first year, provides financing up to ninety percent of the anticipated cost of the livestock purchase, and allows the authority to charge a one time loan review fee of one percent to be charged by the lender. Nothing in the Family Farms Act shall preclude any farmer from participating in any other agriculture program.

The act provides a tax credit to any lender participating in the family farm livestock loan program equal to one hundred percent of the interest waived by the lender for the first year of the loan. The tax credits created in the act may be claimed on a quarterly basis, are not refundable and may be carried over for no more than three years.

Certain provisions of the act are similar to HB 1349 (2006).

MEGAN WORD

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SPONSOR: Vogel

HANDLER: Moore

SB 1020 - The act requires anyone who manufactures, installs, or repairs fuel storage tanks or piping for such tanks to maintain evidence of financial responsibility of one million dollars per occurrence and two million dollars in the aggregate to cover the costs of corrective action after a fuel release. The evidence shall be presented annually to the Department of Agriculture.

MEGAN WORD

HCS/SB 1023 - This act modifies the laws relating to DNA Profiling Analysis.

SECTION 488.5050

This act extends the expiration date from August 28, 2006, to August 28, 2013, for certain surcharges on criminal cases in which the defendant pleads guilty to or is convicted of a felony or misdemeanor.

Under this act, the surcharge is \$30 when the defendant is found guilty of or pleads guilty to a felony, except when the person is convicted of a serious drug offense, in which case, the surcharge is \$60. The surcharge is \$15 when the defendant is found guilty of or pleads guilty to a misdemeanor.

This act directs the state treasurer to deposit such surcharges into the general revenue fund, if in the previous fiscal year, the state's net general revenue did not increase by 2% or more. Otherwise, the moneys will be deposited into the DNA Profiling Analysis Fund. Any money deposited into such fund shall not revert to the credit of the general revenue fund.

This section is identical to HCS/SCS/SB 587 (2006).

SECTIONS 650.055 & 650.058

These sections repeal the current provisions providing restitution for individuals exonerated after August 28, 2003 through the use of DNA profiling analysis and enacts new provisions to allow any person found guilty of a felony in a Missouri circuit court, who is later exonerated of such felony by DNA profiling analysis, to receive restitution.

The individual may receive \$50 for each day of post-conviction incarceration. The petition for payment of restitution may be filed with the sentencing court. These sections allow only people found "actually innocent" to receive restitution. For the purposes of this act, "actually innocent" means:

- (1) The individual was convicted of a felony for which a final order of release was entered by the court;
- (2) All appeals of the order for release have been exhausted;
- (3) The individual was not serving a concurrent sentence for another crime, unless such individual was serving such a sentence because his or her parole was revoked by a court or the board of probation and parole in connection with the crime for which the person has been exonerated; and
- (4) Testing ordered under the statute allowing offenders to file a post-conviction motion for such testing or by the order of a court, if such person was exonerated on or before August 28, 2004, or testing ordered under the statute requiring mandatory DNA profiling analysis of all felony offenders, if the person was exonerated after August 28, 2004, demonstrates the person's innocence.

Any individual who receives such restitution shall be prohibited from seeking civil redress from the state or any political subdivision. The Department of Corrections will determine the aggregate amount of restitution owed during a fiscal year. If insufficient moneys are appropriated to pay restitution to such persons, the Department shall pay each individual a pro rata share of the available money. Provided funds are appropriated, the amounts owed such individual shall be paid June 30th of each year until the total amount of restitution has been paid. However, no individual shall receive more than \$36,500 during each

SPONSOR: Gibbons

HANDLER: Johnson

fiscal year.

If a person undergoes DNA testing after filing a motion with the court for such testing, instead of as part of the mandatory DNA profiling analysis of all felony offenders, and the testing confirms the person's guilt, he or she can be sanctioned and held liable for the costs of the testing.

A petition for payment of restitution may only be filed by the individual determined to be actually innocent or the individual's legal guardian. No claim or petition for restitution may be filed by the individual's heirs or assigns. An individual's right to receive restitution is not assignable or otherwise transferrable. The state's obligation to pay restitution shall cease upon the individual's death. Any beneficiary designation that purports to bequeath, assign, or otherwise convey the right to receive such restitution shall be void and unenforceable.

An individual who is determined to be "actually innocent" of a crime shall automatically be granted an order of expungement from the court for all official records regarding the crime. Upon granting the order, the records and files shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea, or conviction. The person shall no longer be held as guilty of perjury or giving a false statement for an inquiry made of him or her and no such inquiry shall be made for information relating to an expungement.

These sections are similar to SCS/HCS/HB 1322 (2006).

**SECTION 650.100**

This section defines the terms "central repository" and "Forensic DNA analysis" within the statutes relating to DNA testing.

SUSAN HENDERSON MOORE

SPONSOR: Cauthorn

HANDLER: Day

SCS/SB 1026 - Current law provides that the General Assembly shall encourage the development of any veterans' programs related to outreach and education about the historical significance of veteran service. This act removes provisions related to outreach, and also provides that the Lieutenant Governor, rather than the Veterans' Commission, shall administer the provisions of the act.

This act also provides that the Lieutenant Governor, rather than the Veterans' Commission, shall administer the Veterans' Historical Education Fund, which shall be used solely to fund veterans' education programs, as provided by this act.

ALEXA PEARSON

SPONSOR: Goodman

HANDLER: Stevenson

HCS/SB 1045 - This act states that current provisions of law that declare that statutes of limitations are inapplicable to actions involving lands granted for any public, pious, or charitable use shall be construed to prohibit any claimant from adversely possessing any interest in land held by a public utility.

SPONSOR: Goodman

HANDLER: Stevenson

ALEXA PEARSON

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\*\*\* SB 1056 \*\*\*

SPONSOR: Griesheimer

HANDLER: Sutherland

SB 1056 - This act modifies the sales tax provision for community improvement districts. Under the current law, a community improvement district may, by resolution, impose a sales tax at a rate of 1/8, 1/4, 3/8, 1/2 of one percent. The act allows the sales tax to be imposed in increments of one-eighth of one percent, up to a maximum of one percent.

STEPHEN WITTE

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\*\*\* SB 1057 \*\*\*

SPONSOR: Loudon

HANDLER: Behnen

SB 1057 - This act includes physical therapists in the definition of health practitioner for the purposes of liens due to patients whose sickness or injury has been caused by a tortfeasor.

CHRIS HOGERTY

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\*\*\* SB 1059 \*\*\*

SPONSOR: Kennedy

HANDLER: Roorda

SCS/SB 1059 - This act designates a portion of I-55 in St. Louis County as the "Officer Thomas G. Smith Jr. Memorial Highway." All signage costs shall be paid for by private donations.

The act is identical to HB 1488 (2006).

STEPHEN WITTE

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\*\*\* SB 1060 \*\*\*

SPONSOR: Kennedy

HANDLER: Jackson

SCS/SB 1060 - This act provides that the tax contribution designation for the Missouri Military Family Relief Fund shall be clearly and unambiguously printed on the front page of each income tax return form provided by this state. This language will require the tax contribution check-off to be printed on the front page of state tax return forms.

Current law provides that the Director of Revenue shall establish a method that allows the contribution designations authorized by Section 104.1020, RSMo, and the contribution designation for the general revenue fund, to be combined into two contribution designation boxes printed on the front page of state tax returns. This act removes the provision regarding the general revenue fund so that the director no longer is required to combine this fund with the other enumerated contribution designations, and therefore the contribution designation for the general revenue fund will be placed on the front page of state income tax return forms, as stated in Section 143.1020.

ALEXA PEARSON

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\*\*\* SB 1066 \*\*\*

SPONSOR: Klindt



SPONSOR: Klindt

opportunity to request a waiver from the public service commission and the requirement that tariffs be filed to reduce rates for any service in which the current rate exceeds the maximum allowable price. The request may be made in the event that the CPI for the preceding twelve months is negative. All revenues attributable to such a waiver shall be used for the purposes approved by the commission to benefit local ratepayers including but not limited to expanded calling local scopes. Any request for a waiver must first be approved by the commission, for good cause shown, before taking effect.

MEGAN WORD

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**\*\*\* SB 1084 \*\*\***

SPONSOR: Gibbons

HANDLER: Scharnhorst

HCS/SB 1084 - This act extends the sunset date for the Healthcare for Uninsured Children Program (CHIPS) from July 1, 2007 to June 30, 2008. This act also extends the sunset date for the consumer-directed personal care assistance services program for non-Medicaid eligible clients from June 30, 2006 to June 30, 2008. This date corresponds to the sunset date for the state Medicaid program.

This act contains an emergency clause.

ADRIANE CROUSE

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**\*\*\* SB 1086 \*\*\***

SPONSOR: Kennedy

HANDLER: Kratky

HCS/SCS/SB 1086 - The act repeals the provision that contains the maximum compensation table for St. Louis police officers. Under this act, the St. Louis Board of Police Commissioners shall have the authority, as of August 28, 2006, to compute and establish the annual salaries of police force members without prior authorization from the General Assembly.

This act contains an emergency clause.

SUSAN HENDERSON MOORE

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**\*\*\* SB 1094 \*\*\***

SPONSOR: Champion

HANDLER: Wright

SB 1094 - This act allows Springfield to dissolve special business districts. Any proceeds from the disposal of the assets of the district shall be used by the city in a manner consistent with the purposes of such a district within the former district's boundaries.

SUSAN HENDERSON MOORE

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**\*\*\* SB 1117 \*\*\***

SPONSOR: Stouffer

HANDLER: Bruns

SCS/SB 1117 - This act modifies the provisions relating to the Missouri Rx Plan Advisory Commission to reflect that the Missouri Rx Plan is no longer housed in the Department of Health and Senior Services but in the Department of Social Services. This act removes the provision in the Missouri Rx statute denying eligibility to individuals enrolled in Medicare Advantage Plans.

ADRIANE CROUSE

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**\*\*\* SB 1122 \*\*\***

SPONSOR: Shields

HANDLER: Schaaf

HCS/SCS/SB 1122 - This act allows the Board of Governors, Board of Regents, or Board of Curators of certain state universities to convey or transfer, except in fee simple, the title or any other interest in such property without authorization from the General Assembly. This provision expires August 28, 2011.

Currently, the boards of such universities must receive authorization by an act of the General Assembly before conveying or transferring any interest in real property.

SUSAN HENDERSON MOORE

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**\*\*\* SB 1139 \*\*\***

SPONSOR: Gibbons

HANDLER: Yaeger

SB 1139 - This act designates the portion of Highway 21 from the intersection of Lindbergh Avenue to the intersection of Gravois Road in St. Louis County as the "Sergeant William McEntee Memorial Highway". The Department of Transportation shall erect and maintain appropriate signs commemorating this portion of highway. Costs for such designation shall be paid for by the Kirkwood Police officers.

STEPHEN WITTE

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**\*\*\* SB 1146 \*\*\***

SPONSOR: Ridgeway

HANDLER: Pratt

SB 1146 - Under the act, in all cases where the law provides for an independent review of an agency's decision by a board other than the administrative hearing commission, and provides for de novo review by the circuit court, an aggrieved party may waive review by the board and file in the circuit court. Such a waiver shall constitute exhaustion of all administrative remedies.

CHRIS HOGERTY

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**\*\*\* SB 1155 \*\*\***

SPONSOR: Stouffer

HANDLER: Tilley

SB 1155 - This act modifies provisions relating to the technical advisory committee on the quality of patient care and nursing practices. This act extends the sunset provision from December 31, 2006 to December 31, 2011.

ADRIANE CROUSE

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**\*\*\* SB 1165 \*\*\***

SPONSOR: Klindt

HANDLER: Bruns

HCS/SB 1165 - This act extends the fees imposed under the water pollution statutes until December 31, 2009.

The act directs the creation of a joint committee that shall consider proposals for restructuring the fees imposed under Sections 644.052 and 644.053 RSMo, as well as the state's implementation of the federal clean water program, storm water and related state clean water responsibilities. The committee's report shall be due no later than December 31, 2008.

MEGAN WORD

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**\*\*\* SB 1177 \*\*\***

SPONSOR: Callahan

HANDLER: Dusenberg

SB 1177 - Currently, the State Registrar of Vital Statistics may appoint local registrars, each of whom must be person employed by a county health agency. This act allows local registrars to be an employee of either a county or city health agency.

This act is identical to HB 1707 (2006).

SUSAN HENDERSON MOORE

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**\*\*\* SB 1189 \*\*\***

SPONSOR: Gibbons

HANDLER: Dempsey

SB 1189 - This act creates the Holocaust Education and Awareness Commission. The commission shall be housed in the Department of Elementary and Secondary Education and shall promote implementation of holocaust education and awareness programs. The commission shall be composed of twelve members to be appointed by the governor with advice and consent of the senate. The makeup of the commission is delineated in the act. The term "holocaust" is defined in the act.

DONALD THALHUBER

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**\*\*\* SB 1197 \*\*\***

SPONSOR: Wheeler

HANDLER: Viebrock

SB 1197 - This act modifies the provisions relating to persons donating blood. This act provides that persons sixteen years of age may donate blood if that person obtains written permission or authorization from his or her parent or guardian.

ADRIANE CROUSE

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**\*\*\* SB 1207 \*\*\***

SPONSOR: Mayer

HANDLER: Black

SB 1207 - This act modifies New Madrid County's distribution of revenues from an additional sales tax. Three-fourths of the revenue from the tax shall be distributed to the county with the remaining one-fourth to be distributed equally among the incorporated cities, towns, villages within the county. Upon request from any city town or village within the county, the county shall make available for inspection, the distribution report provided to the county by the Department of Revenue. Any expenses incurred by the county in supplying such report to a city, town, or village shall be paid by such city, town, or village.

JASON ZAMKUS

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**\*\*\* SB 1208 \*\*\***

SPONSOR: Koster

HANDLER: Pratt

SB 1208 - This act allows the board of directors of a corporation to directly submit to its shareholders, a proposed amendment to the corporation's articles of incorporation.

CHRIS HOGERTY

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**\*\*\* SB 1216 \*\*\***

SPONSOR: Goodman

HANDLER: Wasson

SPONSOR: Goodman

HANDLER: Wasson

SB 1216 - This act modifies certain definitions used in the provisions regarding travel clubs and the required language used in rescission statements on travel club contracts. It changes how a travel club membership purchaser can rescind a transaction.

Currently, a travel club membership purchaser may receive a full refund after canceling their purchase, minus the cost of any services actually consumed. Under this act, the purchaser is entitled to a full refund, minus the actual and reasonable cost of processing the refund, including credit card fees.

SUSAN HENDERSON MOORE

SPONSOR: Champion

HANDLER: Dixon

HCS/SS/SCS/SB 1229 - This act requires applications for the adoption tax credit to be filed between July 1st and April 15th of each year. The act repeals the requirement that the director of the Department of Revenue submit an annual report to the general assembly on the income levels of taxpayers claiming the adoption tax credit. The act creates the "Children in Crisis" tax credit which is equal to up to fifty percent of an approved contribution to a qualified agency which includes entities receiving funding under the court appointed special advocate fund, child advocacy , or crisis care centers.

In order to become an eligible agency, an agency must apply to the department of social services prior to December 31st of each year. Upon a determination that an agency is eligible as a qualified agency, the Department of Social Services will provide the agency with a letter of eligibility. The Department of Social Services is required to provide the Department of Revenue with a list of all qualified agencies no later than February 1st of each year. Upon receipt of a contribution, a qualified agency will issue a contribution verification. In order to claim the tax credit provided under this section, a taxpayer must attach the contribution verification to such taxpayer's income tax return.

The children in crisis tax credit is non-refundable, but may be carried forward for up to five consecutive years. The children in crisis tax credit has a cumulative cap equal to the unclaimed portion of the resident adoption tax credit. The amount of remaining credits under the resident adoption tax credit program shall be divided equally among contributions to the agencies eligible under the children in crisis tax credit. In the event the children in crisis tax credits do not use all of the remaining tax credits under the resident adoption tax credit program, the remaining amount shall be used for non-resident adoption tax credits.

JASON ZAMKUS

SPONSOR: Ridgeway

HANDLER: Jackson

SJR 26 - This constitutional amendment, if approved by voters, will exempt property owned by veterans' organizations from taxation.

This resolution is identical to SJR 19 (2005).

JASON ZAMKUS

SPONSOR: Whorton

HANDLER: Engler

SPONSOR: Whorton

HANDLER: Engler

SCS/HCS/HB 977 - Under this act, the Board of Aldermen for a city with a population of 1000 or less can establish by ordinance a citywide vote for the election of aldermen.

This act is similar to SCS/SB 746 (2006).

SUSAN HENDERSON MOORE

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\*\*\* HB 978 \*\*\*

SPONSOR: Smith

HANDLER: Goodman

SCS/HCS/HB 978 - This act establishes the "Vietnam War Medallion Program". Every veteran who honorably served during this war is entitled to receive a Vietnam War medallion, medal, and a certificate of appreciation as long as the veteran is or was a legal resident of Missouri when he or she entered or was discharged from military service or at the time of his or her death. Any spouse or eldest living survivor of a deceased veteran who is entitled to the medallion may receive it on behalf of the deceased veteran. The Adjutant General will administer the program. Applications for the medallion can be filed with the Office of the Adjutant General at any time after January 1, 2007. Medallions will be awarded until the supply is exhausted. The Adjutant General must notify the General Assembly when the supply of medallions is less than 100.

The act also creates the "Vietnam War Veterans' Recognition Award Fund," which will be administered by the Adjutant General. The fund will consist of gifts, donations, and funds transferred to the Veterans Commission Capital Improvement Trust Fund from any remaining balances in the World War II Veterans Recognition Award Fund and the Korean Conflict Veterans Recognition Award Fund. The moneys will be used to solicit designs and to manufacture and distribute the medallions.

ALEXA PEARSON

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\*\*\* HB 983 \*\*\*

SPONSOR: Meadows

HANDLER: Alter

HB 983 - This act provides that the U.S. and Missouri flags shall be flown at half-staff on all government buildings on September 11 of each year.

ALEXA PEARSON

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\*\*\* HB 984 \*\*\*

SPONSOR: Meadows

HANDLER: Alter

HB 984 - This act encourages all government buildings, businesses, and Missouri residents to display the POW/MIA flag on Memorial Day, Independence Day, September eleventh, and Veterans' Day.

ALEXA PEARSON

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\*\*\* HB 1001 \*\*\*

SPONSOR: Icet

HANDLER: Gross

CCS/SCS/HB 1001 - Public Debt

.	Governor	House
GR	\$ 91,358,692	\$ 91,358,692

**\*\*\* HB 1001 \*\*\* (Cont'd)**

SPONSOR: Icet

HANDLER: Gross

FEDERAL	0	0
OTHER	6,287,634	81,287,634
.		
TOTAL	\$ 97,646,326	\$172,646,326

.	Senate	Final
GR	\$ 91,358,692	\$ 91,358,692
FEDERAL	0	0
OTHER	6,287,634	6,287,634
.		
TOTAL	\$97,646,326	97,646,326

DAN HAUG

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**\*\*\* HB 1002 \*\*\***

SPONSOR: Icet

HANDLER: Gross

CCS/SCS/HCS/HB 1002 - Elementary and Secondary Education

.	Governor	House
GR	\$2,739,179,155	\$2,740,594,155
FEDERAL	968,747,262	939,524,896
OTHER	1,330,973,190	1,330,898,190
.		
TOTAL	\$5,038,899,607	\$5,011,017,241

.	Senate	Final
GR	\$2,739,929,155	\$2,739,824,155
FEDERAL	939,524,896	939,524,896
OTHER	1,337,181,733	1,337,181,733
.		
TOTAL	\$5,016,635,784	\$5,016,530,784

DAN HAUG

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**\*\*\* HB 1003 \*\*\***

SPONSOR: Icet

HANDLER: Gross

CCS/SCS/HCS/HB 1003 - Higher Education

.	Governor	House
GR	\$ 873,602,130	\$ 876,162,744
FEDERAL	6,468,111	6,468,111
OTHER	209,883,378	191,695,878
.		
TOTAL	\$1,089,953,619	\$1,074,326,733

**\*\*\* HB 1003 \*\*\* (Cont'd)**

SPONSOR: Icet

HANDLER: Gross

.	Senate	Final
GR	\$ 889,248,262	\$ 889,356,731
FEDERAL	6,468,111	6,468,111
OTHER	209,879,528	182,792,028
.		
TOTAL	\$1,105,595,901	\$1,078,616,870

DAN HAUG

**\*\*\* HB 1004 \*\*\***

SPONSOR: Icet

HANDLER: Gross

## CCS/SCS/HCS/HB 1004 - Revenue &amp; Transportation

.	REVENUE	
.	Governor	House
GR	\$ 84,555,411	\$ 85,215,411
FEDERAL	6,404,905	6,404,905
OTHER	321,102,203	320,788,569
.		
TOTAL	\$ 412,062,519	\$ 412,408,885

  

.	Senate	Final
GR	\$ 85,538,324	\$ 85,437,324
FEDERAL	6,404,905	6,404,905
OTHER	320,377,203	320,377,203
.		
TOTAL	\$ 412,320,432	\$ 412,219,432

  

.	TRANSPORTATION	
.	Governor	House
GR	\$ 10,609,321	\$ 10,884,321
FEDERAL	53,751,383	53,751,383
OTHER	2,556,587,599	2,556,837,599
.		
TOTAL	\$2,620,948,303	\$2,621,473,303

  

.	Senate	Final
GR	\$ 11,859,321	\$ 11,859,231
FEDERAL	53,751,383	53,751,383
OTHER	2,555,599,645	2,555,874,644
.		
TOTAL	\$2,621,210,349	\$2,621,485,348

DAN HAUG

SPONSOR: Icet

HANDLER: Gross

CCS/SCS/HCS/HB 1005 - Office of Administration

OFFICE OF ADMINISTRATION

.	Governor	House
GR	\$168,109,367	\$ 167,748,646
FEDERAL	76,306,928	76,306,928
OTHER	28,898,627	28,868,628
.		
TOTAL	<u>\$273,314,922</u>	<u>\$ 272,924,202</u>

.	Senate	Final
GR	\$167,700,804	\$ 170,700,804
FEDERAL	76,306,928	76,306,928
OTHER	28,901,430	28,871,430
.		
TOTAL	<u>\$272,909,162</u>	<u>\$ 275,879,162</u>

EMPLOYEE BENEFITS

.	Governor	House
GR	\$508,842,084	\$ 509,948,719
FEDERAL	160,837,877	160,837,877
OTHER	144,574,812	144,728,612
.		
TOTAL	<u>\$814,254,773</u>	<u>\$ 815,515,208</u>

.	Senate	Final
GR	\$510,662,721	\$ 510,411,801
FEDERAL	160,837,877	160,837,877
OTHER	144,574,812	144,728,612
.		
TOTAL	<u>\$816,075,410</u>	<u>\$ 815,978,290</u>
DAN HAUG		

SPONSOR: Icet

HANDLER: Gross

CCS/SCS/HCS/HB 1006 - Agriculture, Natural Resources & Conservation

AGRICULTURE

.	Governor	House
GR	\$ 22,742,779	\$ 23,442,779



SPONSOR: Icet

HANDLER: Gross

FEDERAL	4,683,906	4,683,906
OTHER	14,675,244	14,675,244
.		
TOTAL	\$ 42,101,929	\$ 42,801,929

.	Senate	Final
GR	\$ 22,690,155	\$ 22,832,655
FEDERAL	4,933,906	4,933,906
OTHER	14,925,244	14,925,244
.		
TOTAL	\$ 42,549,305	\$ 42,691,805

. NATURAL RESOURCES

.	Governor	House
GR	\$ 10,653,198	\$ 10,547,582
FEDERAL	42,796,821	42,796,821
OTHER	270,683,531	270,839,147
.		
TOTAL	\$324,133,550	\$324,183,550

.	Senate	Final
GR	\$ 10,047,582	\$ 10,047,582
FEDERAL	42,796,822	42,796,822
OTHER	270,789,147	270,789,147
.		
TOTAL	\$323,633,551	\$323,633,551

. CONSERVATION

.	Governor	House
GR	\$ 0	\$ 0
FEDERAL	0	0
OTHER	141,798,873	141,798,873
.		
TOTAL	\$141,798,873	\$141,798,873

.	Senate	Final
GR	0	0
FEDERAL	0	0
OTHER	\$141,048,873	\$141,048,873
.		
TOTAL	\$141,048,873	\$141,048,873

DAN HAUG

SPONSOR: Icet

HANDLER: Gross

CCS/SCS/HCS/HB 1007 - Economic Development, Insurance & Labor and Industrial Relations

.	ECONOMIC DEVELOPMENT	
.	Governor	House
GR	\$ 44,814,917	\$ 43,450,461
FEDERAL	158,714,384	158,714,384
OTHER	121,790,405	84,524,862
.		
TOTAL	<u>\$325,319,706</u>	<u>\$286,689,707</u>

.	Senate	Final
GR	\$ 45,139,849	\$ 43,885,380
FEDERAL	158,714,384	158,714,384
OTHER	73,713,406	79,762,332
.		
TOTAL	<u>\$277,567,639</u>	<u>\$282,362,096</u>

.	INSURANCE	
.	Governor	House
GR	\$ 0	\$ 0
FEDERAL	600,000	600,000
OTHER	13,038,692	13,038,692
.		
TOTAL	<u>\$ 13,638,692</u>	<u>\$ 13,638,692</u>

.	Senate	Final
GR	0	0
FEDERAL	600,000	600,000
OTHER	13,038,692	13,038,692
.		
TOTAL	<u>\$ 13,638,692</u>	<u>\$ 13,638,692</u>

.	LABOR AND INDUSTRIAL RELATIONS	
.	Governor	House
GR	\$ 2,269,725	\$ 2,269,725
FEDERAL	55,793,665	55,793,665
OTHER	95,166,771	95,166,771
.		
TOTAL	<u>\$153,230,161</u>	<u>\$153,230,161</u>

**\*\*\* HB 1007 \*\*\* (Cont'd)**

SPONSOR: Icet

HANDLER: Gross

.	Senate	Final
GR	\$ 2,544,187	\$ 2,462,141
FEDERAL	55,793,665	55,793,665
OTHER	95,166,771	153,422,577
.		
TOTAL	\$153,504,623	\$153,422,577
DAN HAUG		

**\*\*\* HB 1008 \*\*\***

SPONSOR: Icet

HANDLER: Gross

CCS/SCS/HCS/HB 1008 - Public Safety

.	Governor	House
GR	\$ 62,084,170	\$ 63,138,476
FEDERAL	82,673,604	81,521,604
OTHER	270,059,233	271,781,648
.		
TOTAL	\$414,817,007	\$416,441,728

.	Senate	Final
GR	\$ 64,741,980	\$ 63,966,596
FEDERAL	81,552,885	81,482,031
OTHER	275,041,211	275,041,211
.		
TOTAL	\$421,336,076	\$420,489,838
DAN HAUG		

**\*\*\* HB 1009 \*\*\***

SPONSOR: Icet

HANDLER: Gross

CCS/SCS/HB 1009 - Corrections

.	Governor	House
GR	\$585,538,645	\$587,104,907
FEDERAL	8,587,041	8,587,041
OTHER	43,231,872	43,647,735
.		
TOTAL	\$637,357,558	\$639,339,683

.	Senate	Final
GR	\$585,460,024	\$586,127,292
FEDERAL	8,587,041	8,587,041
OTHER	43,632,887	43,632,887
.		

**\*\*\* HB 1009 \*\*\* (Cont'd)**

SPONSOR: Icet

HANDLER: Gross

TOTAL	\$637,679,952	\$638,347,220
DAN HAUG		

**\*\*\* HB 1010 \*\*\***

SPONSOR: Icet

HANDLER: Gross

CCS/SCS/HCS/HB 1010 - Mental Health &amp; Health

.	MENTAL HEALTH	
.	Governor	House
GR	\$ 536,868,415	\$ 538,094,003
FEDERAL	437,114,620	447,625,928
OTHER	36,553,990	36,723,990
.		
TOTAL	<u>\$1,010,537,025</u>	<u>\$1,022,443,921</u>
.	Senate	Final
GR	\$ 551,340,904	\$ 554,004,413
FEDERAL	445,833,370	451,928,567
OTHER	38,565,977	39,079,337
.		
TOTAL	<u>\$1,035,740,251</u>	<u>\$1,045,012,317</u>
.	HEALTH	
.	Governor	House
GR	\$226,536,142	\$ 237,137,881
FEDERAL	567,989,950	569,509,897
OTHER	27,366,292	27,277,085
.		
TOTAL	<u>\$821,892,384</u>	<u>\$ 833,924,863</u>
.	Senate	Final
GR	\$225,957,482	\$ 228,301,096
FEDERAL	568,031,734	567,288,385
OTHER	28,679,585	26,767,085
.		
TOTAL	<u>\$822,668,801</u>	<u>\$ 822,356,566</u>
DAN HAUG		

**\*\*\* HB 1011 \*\*\***

SPONSOR: Icet

HANDLER: Gross

CCS/SCS/HCS/HB 1011 - Social Services

SPONSOR: Ictet

HANDLER: Gross

.	Governor	House
GR	\$1,466,489,696	\$1,396,780,632
FEDERAL	3,551,623,620	3,567,847,804
OTHER	1,279,779,638	1,322,144,638
.		
TOTAL	\$6,297,892,954	\$6,286,773,074

.	Senate	Final
GR	\$1,413,045,574	\$1,415,767,492
FEDERAL	3,432,394,315	3,439,130,872
OTHER	1,326,294,638	1,322,144,638
.		
TOTAL	\$6,171,734,527	\$6,177,043,002

DAN HAUG

SPONSOR: Ictet

HANDLER: Gross

CCS/SCS/HCS/HB 1012 - Elected Officials, Judiciary, Public Defender  
& General Assembly

.	ELECTED OFFICIALS	
.	Governor	House
GR	\$ 45,924,199	\$ 46,224,199
FEDERAL	38,181,093	38,181,093
OTHER	45,933,279	45,933,279
.		
TOTAL	\$130,038,571	\$130,338,571

.	Senate	Final
GR	\$ 45,924,199	\$ 46,224,199
FEDERAL	38,181,093	38,181,093
OTHER	45,933,279	45,933,279
.		
TOTAL	\$130,038,571	\$130,338,571

.	JUDICIARY	
.	Governor	House
GR	\$153,996,581	\$ 156,916,016
FEDERAL	9,700,642	9,700,642
OTHER	10,279,339	10,279,339
.		

SPONSOR: Icet

HANDLER: Gross

TOTAL	\$173,976,562	\$ 176,895,997
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.	Senate	Final
GR	\$155,367,876	\$ 155,267,876
FEDERAL	9,700,642	9,700,642
OTHER	10,279,339	10,279,339
.		
TOTAL	\$175,347,857	\$ 175,247,857

.	PUBLIC DEFENDER	
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.	Governor	House
GR	\$29,382,667	\$ 30,382,667
FEDERAL	125,000	125,000
OTHER	1,972,829	1,972,829
.		
TOTAL	\$31,480,496	\$ 32,480,496

.	Senate	Final
GR	\$30,493,582	\$ 30,493,582
FEDERAL	125,000	125,000
OTHER	1,972,829	1,972,829
.		
TOTAL	\$35,591,411	\$ 32,591,411

.	GENERAL ASSEMBLY	
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.	Governor	House
GR	\$31,951,856	\$ 31,952,356
FEDERAL	0	0
OTHER	193,567	193,567
.		
TOTAL	\$32,145,423	\$ 32,145,923

.	Senate	Final
GR	\$32,202,947	\$ 32,300,398
FEDERAL	0	0
OTHER	193,567	193,567
.		
TOTAL	\$32,396,514	\$ 32,493,965
DAN HAUG		

SPONSOR: Icet

HANDLER: Gross

**\*\*\* HB 1013 \*\*\* (Cont'd)**

SPONSOR: Icet

HANDLER: Gross

.	Governor	House
GR	\$ 41,230,670	\$ 41,230,670
FEDERAL	19,871,762	19,871,762
OTHER	9,001,137	9,001,137
.		
TOTAL	\$ 70,103,569	\$ 70,103,569

.	Senate	Final
GR	\$ 41,228,202	\$ 41,228,202
FEDERAL	20,006,708	20,006,708
OTHER	9,065,212	9,065,212
.		
TOTAL	\$ 70,300,122	\$ 70,300,122

DAN HAUG

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**\*\*\* HB 1014 \*\*\***

SPONSOR: Icet

HANDLER: Gross

## CCS/SCS/HCS/HB 1014 - Supplemental Appropriations

.	Governor	House
GR	\$ 75,899,988	\$ 48,473,328
FEDERAL	90,287,480	89,277,717
OTHER	47,602,693	47,063,693
.		
TOTAL	\$213,790,161	\$184,814,738

.	Senate	Final
GR	\$ 58,288,776	\$ 53,369,606
FEDERAL	86,437,911	86,437,911
OTHER	47,602,693	47,602,693
.		
TOTAL	\$192,329,380	\$187,410,210

DAN HAUG

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**\*\*\* HB 1015 \*\*\***

SPONSOR: Icet

HANDLER: Gross

## HB 1015 - Supplemental Appropriations

.	Governor	House
GR	\$6,079,746	\$6,079,746
FEDERAL	0	0

**\*\*\* HB 1015 \*\*\* (Cont'd)**

SPONSOR: Icet

HANDLER: Gross

OTHER	0	0
.		
TOTAL	<u>\$6,079,746</u>	<u>\$6,079,746</u>

.	Senate	Final
GR	\$6,079,746	\$6,079,746
FEDERAL	0	0
OTHER	0	0
.		
TOTAL	<u>\$6,079,746</u>	<u>\$6,079,746</u>

DAN HAUG

**\*\*\* HB 1021 \*\*\***

SPONSOR: Icet

HANDLER: Gross

## HCS/HB 1021 - Capital Improvements

.	Governor	House
GR	\$ 9,370,722	\$ 11,595,722
FEDERAL	9,264,000	9,264,000
OTHER	10,251,475	10,351,475
REVENUE BONDS		120,000,000
.		
TOTAL	<u>\$ 28,886,197</u>	<u>\$151,211,197</u>

.	Senate	Final
GR	\$ 11,595,722	
FEDERAL	9,264,000	
OTHER	10,351,475	
REVENUE BONDS	120,000,000	
.		
TOTAL	<u>\$151,211,197</u>	<u></u>

DAN HAUG

**\*\*\* HB 1026 \*\*\***

SPONSOR: Rucker

HANDLER: Shields

SS/SCS/HCS/HB 1026 - This act makes it unlawful for any person to engage in protest activities in front of or about any location at which a funeral is held, within one hour prior to the commencement of any funeral, and until one hour following the cessation of any funeral. First violations are punishable as a Class B misdemeanor and subsequent violations are punishable as a Class A misdemeanor. This act shall be known as "Spc. Edward Lee Myers' Law".

This provision of the act has an emergency clause.

The act also provides that if any of the aforementioned provisions are declared unconstitutional by a



SPONSOR: Rucker

HANDLER: Shields

court of competent jurisdiction, then it shall be unlawful for any person to engage in protest activities within three hundred feet of or about any location at which a funeral is held, within one hour prior to the commencement of any funeral, and until one hour following the cessation of any funeral. First violations are punishable as a Class B misdemeanor and subsequent violations are punishable as a Class A misdemeanor. This act shall be known as "Spc. Edward Lee Myers' Law".

This provision of the act has a contingent effective date.

This act is similar to SCS/SB 578 (2006).

ALEXA PEARSON

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SPONSOR: Jolly

HANDLER: Wheeler

HCS/HB 1053 - Currently, if a person is arrested and charged but the case is subsequently nolle prossed, dismissed, or the accused is found not guilty or imposition of sentence is suspended, the official records are closed and access is limited to law enforcement agencies, child care agencies, residential care facilities, and skilled nursing home facilities. Under this act, if a person is arrested for a sexual offense, and an imposition of sentence is suspended, the official records of the case shall be made available to the victim to use in his or her own judicial proceedings or to the victim's family if he or she is a minor.

This act is similar to certain provisions of HCS/HB 1317 (2006).

SUSAN HENDERSON MOORE

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SPONSOR: Johnson

HANDLER: Ridgeway

HCS/HB 1138 - This act changes provisions regarding military leave for Kansas City police officers and civilian employees. Members of the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City who are on leave of absence due to military service in which the United States has declared war, a compulsory draft, or the combat mobilization of any units of the military reserves are entitled to service credit for the time spent in the military service. During their military service, members are not required to pay any member contributions into the retirement system.

Should it become necessary for the years of the service to be included in the calculation of the member's compensation, the member will be deemed to have received the same compensation throughout the period of service as the member's base annual salary immediately prior to the commencement of the leave of absence.

This act is identical to SCS/SB 830 (2006).

ALEXA PEARSON

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SPONSOR: Bivins

HANDLER: Scott

SCS#2/HCS/HB 1149 - The act allows any public water supply and sewer districts as well as municipalities to lay, install, construct, repair, and maintain sewer and water lines in public roads

SPONSOR: Bivins

HANDLER: Scott

provided the districts and/or municipalities adhere to any applicable local regulations.

The act includes municipalities as well as public water supply and sewer districts to the list of utilities subject to the jurisdiction of the state highways and transportation commission in the event that they work on infrastructure within the right-of-way of any state highway.

The act extends the expiration date for the public drinking water primacy fees until September 1, 2012. Such fees are in place for the purpose of complying with federal drinking water requirements. The act increases these fees to accommodate new guidelines; the fee amounts are described in the act. The language in this section is identical to SB 1037 (2006).

The act modifies the definition of "point source" to exclude any agricultural storm water discharges and return flows from agriculture. The language in this section is identical to SB 985 (2006).

The act directs that any listing of impaired waters that is to be sent to the Environmental Protection Agency shall first be adopted by the clean water commission after a public hearing or a series of hearings. Notification requirements for such hearing are described in the act, including the information that shall be published on the department of natural resource's website. The proposed list of impaired waters shall include a variety of information on the pollutants causing violations in the water quality while at the same time, the department shall make available on their website information pertaining to the reasoning behind the proposed list. The department shall publish a revised list based on public comment, after which, the commission may adopt a list based upon the department's comments.

The provisions of the act expire on August 28, 2009. The language in this section is identical to SCS/SB 1242 (2006).

The act authorizes the Department of Natural Resources to require a bond as a condition of issuing permits for facilities that utilize innovative technologies for wastewater treatment. The requirement is not mandatory under the act, rather it has been left to the department to make that decision. The act makes it clear that any wastewater treatment designs approved by a federal agency or environmental regulatory agency in another state would not have to be bonded. The language in this section is identical to SCS/SB 1081 (2006).

The act extends the fees imposed under the water pollution statutes until December 31, 2009.

The act directs the creation of a joint committee that shall consider proposals for restructuring the fees imposed under section 644.052 and 644.053 RSMo, as well as the state's implementation of the federal clean water program, stormwater programs and related state clean water responsibilities. The committee's report shall be due no later than December 31, 2008. The language in this section is similar to the HCS/SB 1165 (2006).

This act authorizes the Board of Fund Commissioners, in addition to amounts authorized prior to August 28, 2007, to issue bonds for grants and loans pursuant to several sections of Article III of the Missouri Constitution.

The authorizations are for: (1) \$10 million of bonds for waste water pollution control, drinking water system improvements, and storm water control pursuant to Section 37(e); (2) \$10 million of bonds for rural water and sewer projects pursuant to Section 37(g); and (3) \$20 million of bonds for storm water

SPONSOR: Bivins

HANDLER: Scott

control plans, studies, and projects in first classification counties and the City of St. Louis pursuant to Section 37(h). The language in this section is similar to SB 246 (2005).

The act allows any facility built within St. Louis that is in compliance with applicable building and plumbing codes to delay providing an equal number of bathrooms and diaper changing stations for men and women until one year following the date of the facility's substantial completion.

MEGAN WORD

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**\*\*\* HB 1180 \*\*\***

SPONSOR: Corcoran

HANDLER: Bray

HCS/HB 1180 - Currently, under Department of Elementary and Secondary Education rules, school districts may be financially penalized for transporting students who live less than a mile from school. This act exempts from administrative penalties districts that demonstrate their students have to cross highways and arterials under specified conditions.

This act is identical to SB 1169 (2006).

The provisions of this act are also contained in the perfected SB 644 (2006).

DONALD THALHUBER

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**\*\*\* HB 1182 \*\*\***

SPONSOR: Stevenson

HANDLER: Nodler

HCS/HB 1182 - This act allows a parent, legal guardian, or other person having legal custody of a child at least fifteen years of age to petition the court to extend the jurisdiction of the juvenile court over such child until he or she reaches eighteen years of age. These provisions shall not apply to a child who has received a high school diploma or its equivalent. A law enforcement officer, juvenile officer, school personnel, or court personnel will not be held civilly or criminally liable if his or her actions or failure to act were based on a good faith belief that the child was not under juvenile court jurisdiction.

This act also provides that the compulsory school attendance law shall apply to any parent, guardian, or other person having custody or control of a child between fifteen and eighteen, if such child has not received a high school diploma or its equivalent and if a court order to extend juvenile court jurisdiction has been issued.

ALEXA PEARSON

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**\*\*\* HB 1204 \*\*\***

SPONSOR: Roorda

HANDLER: Alter

HB 1204 - This act allows any jailer to serve an arrest warrant on a person who is already an inmate in the custody of the facility at which such jailer is employed.

This act is identical to SB 785 (2006).

SUSAN HENDERSON MOORE

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**\*\*\* HB 1222 \*\*\***

SPONSOR: Cooper

HANDLER: Scott

HB 1222 - This act provides that a coroner or medical examiner may appoint a special deputy coroner or medical examiner in the event of a natural disaster, mass casualty, or other emergency situation. Such special deputy coroners and medical examiners shall be the coroner or medical examiner of any other county in the state who is willing to serve under this act.

All appointees shall be directly supervised by the coroner or medical examiner making the appointment and such appointment shall not exceed thirty days. In addition, the appointees shall not receive any compensation for services rendered, but shall be reimbursed for all actual and necessary expenses incurred in the performance of official duties under this act.

In addition, the coroner or medical examiner making the appointment shall file a record of the appointee's full name, address, date of birth, date of appointment, and date of termination with his or her county clerk.

ADRIANE CROUSE

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\*\*\* HB 1234 \*\*\*

SPONSOR: Loehner

HANDLER: Clemens

HB 1234 - This act changes two provisions of the Nursing Student Loan Repayment Program. "Eligible student" is redefined as a person who has been accepted as a full-time nursing student, rather than a person who has applied for admission. Currently, 25% of the loan is forgiven for each year of employment, the act revises the repayment provision to permit forgiveness through employment without mention of a specific schedule.

CHRIS HOGERTY

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\*\*\* HB 1245 \*\*\*

SPONSOR: Sater

HANDLER: Shields

HB 1245 - This act allows school nurses, upon authorization by the school board, to keep and administer prefilled syringes of epinephrine. The nurse may administer the medication when, based on training, the nurse believes a student is having an acute anaphylactic episode. The prescription must be written by a licensed physician listing the school district as the patient, include the nurse's name, and be filled at a licensed pharmacy.

DONALD THALHUBER

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\*\*\* HB 1256 \*\*\*

SPONSOR: Haywood

HANDLER: Days

HCS/HB 1256 - This act designates February 4th as "Rosa Parks Day" in the State of Missouri.

MEGAN WORD

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\*\*\* HB 1270 \*\*\*

SPONSOR: Behnen

HANDLER: Cauthorn

CCS/SCS/HCS/HBs 1270 & 1072 - The act makes it clear that a Missouri qualified biodiesel producer must either be a facility that is owned by at least fifty-one percent of Missouri agricultural producers or a facility which utilizes at least eighty percent of Missouri feedstock. The Missouri qualified

SPONSOR: Behnen

HANDLER: Cauthorn

biodiesel producer incentive fund shall expire on December 31, 2009 and the act provides for the full payment to any producer who has been approved prior to that date.

The act directs that all fuel sold as of January 1, 2008 in Missouri be fuel ethanol-blended gasoline.

Exceptions to this requirement are laid out in the act and include situations where a distributor is unable to obtain such gasoline at the terminal at the same or lower price as gasoline that is unblended.

Any exemptions made by the Environmental Protection Agency as well as bulk transfers between terminals are exempt from the provisions in the act and certain gasoline types are exempted from the requirement including aviation fuel and automotive fuel used in aircraft, premium gasoline, and E75 and E85 gasoline.

The act allows the director of the Department of Agriculture to waive the ethanol requirement through rules as well as provides the Governor the power to, by executive order, waive the requirement for reasons related to air quality.

The act directs all terminals in Missouri that sell gasoline to offer for sale, in cooperation with positions holders and suppliers, fuel ethanol blended gasoline, fuel ethanol, and unblended gasoline. Terminals that only offer for sale federal reformulated gasolines shall not be required to offer for sale unblended gasoline.

The act allows the purchase of fuel ethanol between retailers, wholesalers, distributors and marketers and any fuel ethanol producer, supplier, wholesaler, position holder or terminal.

MEGAN WORD

SPONSOR: Wood

HANDLER: Goodman

HCS/HB 1339 – This act defines "advertising" for the purposes of real estate broker solicitations. Currently, communications of certain entities are not regulated with respect to real estate brokers when real estate advertising is incidental to the operations of the entity. This act adds "Internet communications" to this category.

Under current law, an applicant for a broker license must be a licensed salesperson for at least one year or have, within six months of the application successfully completed the required curriculum from a school accredited by the Missouri Real Estate Commission. This act requires the applicant to be a licensed salesperson for at least two years and complete the required curriculum.

Under current law a licensee's or applicant's license shall be revoked or refused if the licensee or applicant has pleaded guilty to or been found guilty of certain offenses. This act imposes the same action upon licensees or applicants that have pleaded nolo contendere to the same offenses.

This act removes appellate jurisdiction for revocation challenges from the Missouri Real Estate Commission and places it with the Administrative Hearing Commission.

CHRIS HOGERTY

SPONSOR: Munzlinger

HANDLER: Cauthorn

HCS/HB 1343 - This act repeals the requirement that the city of Canton provide the resources and space for a circuit court in Lewis County, and also repeals the procedural responsibilities for the court.

This act becomes effective December 31, 2006.

ALEXA PEARSON

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SPONSOR: Villa

HANDLER: Coleman

HCS/HB 1344 - Currently, the Board of Trustees of the Fireman's Retirement System of St. Louis can only invest in certain stocks and bonds. This act authorizes the board to invest in property of any kind, real or personal.

This act contains an emergency clause.

ALEXA PEARSON

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SPONSOR: St. Onge

HANDLER: Stouffer

SCS/HCS/HB 1380 - This act creates the "Missouri Public-Private Partnerships Transportation Act." The act allows the Missouri Highways and Transportation Commission to contract with a private developer to finance, develop and operate a bridge located in the city of St. Louis which connect the state of Missouri and the state of Illinois.

PROCESS FOR SUBMITTING PROJECT PROPOSALS - Under the act, any potential private partner may submit a request for approval to the commission to finance, develop and/or operate the project. The commission shall use a competitive procurement process to form a public private partnership. The act requires the commission to publish a public notice of its request for proposals. The commission shall include in such notice a deadline by which responses to such requests for proposals must be submitted.

APPROVAL OF PROJECT - The commission may approve the project if it determines the bridge will improve and is a needed addition to the state highway system. The commission may grant tentative approval of the potential private partner whose request for approval or response to a request for proposal provides the best value to the state for financing, developing and/or operating the project. The commission shall establish criteria for making its determination including: the potential private partner's preliminary estimate of project cost and its financing plan; the general reputation, qualifications, industry experience, and financial capacity of the potential private partner; the proposed plans for developing and/or operating the project; and, other criteria that the commission deems appropriate.

FINAL APPROVAL OF PRIVATE PARTNER/COMPREHENSIVE AGREEMENT - Prior to granting its final approval of the private partner to finance, develop and operate the project, the commission shall review and approve a comprehensive agreement that will provide for: the start date for construction of the project and any other dates the commission deems necessary to develop and/or operate the project; review and approval by the commission of the final plans and specifications for the development and operation of the project to ensure that such plans and specifications conform to the standards acceptable to the commission; a final financing plan; and any other provisions that the commission and the private partner deem appropriate.

SPONSOR: St. Onge

HANDLER: Stouffer

**TERMINATION OF NEGOTIATIONS WITH PRIVATE PARTNER** - If the commission is not satisfied with the results of negotiations with a potential private partner for an agreement, the commission may terminate negotiations with the potential private partner. The commission may reject any and all requests for approval and responses to a request for proposals.

**SUNSHINE LAW APPLICABILITY** - All information of any kind submitted by a potential private partner to the commission pursuant to a request for approval as provided in section shall be a closed record. After the private partner and the commission execute the comprehensive agreement, information provided by the private partner, the interim agreement and the comprehensive agreement shall be an open record as provided for by Missouri's sunshine law.

**PRIVATE PARTNER GENERAL POWERS** - The act delineates the powers of the private partner. The powers include contracting with governmental bodies, leasing or acquiring the right to operate the project, collect user fees in connection with the use of the project by the traveling public, and borrow money for project purposes.

**REQUIREMENTS OF PRIVATE PARTNER** - The private partner shall, in connection with the financing, development and operation of the project, provide the following:

- (1) Security and warranties in the forms and amounts satisfactory to the commission;
- (2) An annual financial statement audited by an independent certified public accountant and such other financial reports and information as required by the commission;
- (3) A summary of any and all compensation from all sources for the project to the private partner;
- (4) Evidence that the private partner has obtained general commercial liability insurance and worker's compensation insurance, if applicable.

The commission may also require the private partner to provide bonds.

**AUTHORITY TO IMPOSE AND COLLECT USER FEES AND TOLLS** - The commission may impose user fees for the project. The comprehensive agreement shall provide the rate of such user fees as may be established by agreement of the commission and the private partner. Such user fees should be set in an amount that takes into account any lease payments, reasonable costs of financing, development and operation. A rate schedule of the current user fees imposed and collected for use of the project shall be made available by the private partner or the commission to any member of the public on request. The commission may authorize the private partner to collect and enforce user fees for the project.

**GOVERNMENT AND PRIVATE SECTOR ASSISTANCE FOR THE PROJECT** - The commission may take any action to obtain federal, state or local government or private sector assistance for the project and may enter into any contracts required for such assistance. In the comprehensive agreement, the commission may agree to loan funds received from any federal, state or local government or the private sector to the private partner for the development and operation of the project from time to time.

**INDEBTEDNESS, BONDS AND TAX EXEMPT STATUS** - The commission and the private partner may use any and all revenues that may be available to them and may, to the fullest extent permitted by applicable law, issue debt, equity, or other securities or obligations. The private partner may issue corporate bonds, private activity bonds, refunding bonds, notes and other obligations, and may secure any of such obligations by mortgage, pledge, or deed of trust of any or all of the property and income of the

SPONSOR: St. Onge

HANDLER: Stouffer

private partner. The private partner shall not mortgage, pledge or give a deed of trust on any real property or interests obtained by eminent domain acquired from the state of Missouri or any agency or political subdivision thereof. Bonds, notes and other obligations shall exclusively be the responsibility of the private partner payable solely out of its funds and property and shall not constitute debt or liability of the commission or the state of Missouri or any other agency or political subdivision of the state. Neither the private partner nor the commission shall be obligated to pay such bonds, notes or other obligations with any funds other than those specifically pledged to repayment. Any private partner bonds issued, the interest thereon, or any proceeds from such bonds shall be exempt from taxation for all purposes except the state estate tax.

**PROJECT DELIVERY AND PROCUREMENT** - The commission may authorize or require a private partner to use any project delivery method for the efficient development and/or operation of the project, including design-build contracts.

**DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION** - The private partner shall provide the commission a detailed disadvantaged business enterprise participation plan that conforms to commission reporting requirements for the federal disadvantaged business enterprise program pursuant to federal law and regulations on federal-aid highway projects. The plan shall also provide information describing the experience of the private partner in meeting disadvantaged business enterprise participation goals, how the private partner will meet the departments disadvantaged business participation goal and such other qualifications that the commission considers to be in the best interest of the state.

**LEASE** - The commission may lease to or for the use of a private partner the project or such right-of-way or other easement in such real estate as the commission deems necessary for the development and/or operation of the project.

**COMMISSION CONDEMNATION AUTHORITY** - The commission may condemn lands for the project in the name of the state of Missouri.

**COLLECTION AND ENFORCEMENT OF USER FEES AND TOLLS** - The private partner may use any toll tickets, barrier toll facilities, billing accounts, commuter passes and electronic recording or identification devices. An owner of a motor vehicle who fails to pay the required toll is guilty of an infraction and upon conviction thereof, shall be required to pay both the amount of the toll as well as pay a fine in an amount to be determined by the court.

**TORT LIABILITY LIMITATIONS FOR PRIVATE PARTNER** - Under the act, tort liability caps are established for the private partner and its employees and agents. The tort liability caps shall be a per person cap and a per occurrence cap and shall be in amounts identical to the tort liability caps established in the sovereign immunity statutes (Section 537.610). Commercial general liability insurance policies purchased by the private partner shall not be used to expand the tort liability caps.

**MATERIAL DEFAULT/REMEDIES** - The act requires the commission to provide notice of material defaults to the private contractor and give the private partner the opportunity to cure such defaults. After such notice, the commission may exercise a variety of remedies delineated in the act.

**ANNUAL REPORT TO JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT** - The act requires the commission to make an annual status report to the joint transportation oversight committee. The annual report shall assess the advantages and disadvantages of the public-private partnership method



SPONSOR: St. Onge  
of financing, developing and/or operating the project.

HANDLER: Stouffer

This act is similar to SB 938 (2006).  
STEPHEN WITTE

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**\*\*\* HB 1382 \*\*\***

SPONSOR: Brown

HANDLER: Ridgeway

SCS/HCS/HBs 1382 & 1158 - This act removes the one-set limit on special military license plates that may be issued to a qualified applicant. The act provides that, for certain special military license plates and future plates which may be authorized, there shall be no limit on the number of plates issued so long as each set of plates is issued for vehicles owned solely or jointly by the qualified person.

The act authorizes the creation of a Disabled American Veterans special license plate. To obtain this plate, individuals must possess a valid membership issued by the Disabled American Veterans and present to the Department of Revenue a current photo identification, a valid Disabled American Veterans membership card, and payment of a \$15 fee in addition to the registration fee and any other documents required by law. No additional fee will be charged for the personalization of the plate. This provision is contained in SB 942 (2006).

The act allows parents or siblings who have an immediate family member die in the line of duty while serving in the U.S. Armed Forces to receive a specialized license plate. A \$25 contribution to the VFW Department of Missouri is required in addition to other registration fees. The plate shall bear the emblem of a five-pointed star and contain the words "SOME GAVE ALL."

STEPHEN WITTE

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**\*\*\* HB 1393 \*\*\***

SPONSOR: Behnen

HANDLER: Goodman

HB 1393 - This act allows the Superintendent of the Highway Patrol, by general order, to set forth the circumstances under which members of the patrol may be engaged in secondary employment.

This act is similar to SB 981 (2006).  
SUSAN HENDERSON MOORE

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**\*\*\* HB 1427 \*\*\***

SPONSOR: Johnson

HANDLER: Kennedy

HB 1427 - This act allows the Secretary of State to waive reinstatement fees and procedures otherwise required for reinstatement, in the event that a corporation was administratively dissolved due to a failure to file an annual registration report, if the Secretary of State concludes that the failure was due to military service. In such a circumstance, the secretary of state shall waive all late fees for all required filings, cancel the certificate of dissolution, and reinstate the corporation.

This act is identical to SB 845 (2006).  
CHRIS HOGERTY

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**\*\*\* HB 1437 \*\*\***

SPONSOR: Threlkeld

HANDLER: Bartle

SCS/HB 1437 -This act repeals the statute creating the Advisory Committee on Poison Control and repeals some of its duties. This act provides that rather than the advisory committee, the department of health and senior services shall provide for the establishment of a Missouri Regional Poison Information Center and Network and shall work in conjunction with local health agencies and health care providers on the region to be served by the Missouri regional poison information center.

This act also removes references to the Committee on Radiation Control from sections 192.400, 192.410, and 192.420.

This act is similar to SB 965 (2006) and SB 677 (2006).

ADRIANE CROUSE

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\*\*\* HB 1440 \*\*\*

SPONSOR: Sutherland

HANDLER: Ridgeway

SCS/HCS/HB 1440 - This act creates a checkoff on the Missouri individual and corporate income tax forms for donations for cervical cancer awareness and treatment. Moneys collected will be used by the Department of Health and Senior Services to: provide information on cervical cancer, early detection, testing and prevention; collect statistical information on cervical cancer; and provide services and funding for early detection, testing, and prevention. For all tax years beginning on or after July 1, 2002, any amount of an addition modification that is not recovered with respect to qualified property sold during the tax year shall be subtracted from the taxpayer's federal adjusted gross income.

JASON ZAMKUS

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\*\*\* HB 1449 \*\*\*

SPONSOR: Wright

HANDLER: Mayer

SCS/HCS/HB 1449 - This act stipulates that if a teacher retires from a Missouri school and returns to teach within a year as a substitute or part-time teacher, the state shall not require another background check. However, school districts are not prohibited from requiring additional background checks.

DONALD THALHUBER

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\*\*\* HB 1456 \*\*\*

SPONSOR: Roark

HANDLER: Ridgeway

SS#2/SCS/HCS/HB 1456 – This act modifies provisions relating to employment security.

Under the act, operators working under a certificate issued by the Missouri Department of Transportation or by the U.S. Department of Transportation or any subagencies are not employees for the purposes of unemployment law.

Beginning in the calendar year 2009, the state taxable wage base shall not increase beyond \$12,500. The act provides a new formula for determining the state taxable wage base.

Currently, the maximum weekly benefit amount is 3 3/4% of the total wages paid during the quarter where the pay was the highest for 2006 and 2007. This act raises that amount to 4%.

SPONSOR: Roark

HANDLER: Ridgeway

The act requires the directors of the division of employment security and the division of workforce development to study and report recommendations about how to improve work search verification, including how to best utilize GreatHires.Org.

If a claimant has committed misconduct with respect to alcohol or controlled substances, a test conducted by a laboratory certified by the U.S. Department of Health and Human Services or another certifying organization that meets the standards of the U.S. Department of Health and Human Services may be included in the administrative record. Test results are admissible if the employer's policy clearly states that an employee may be subject to random, preemployment, reasonable suspicion, or post-accident testing. Employers may require a preemployment test as a condition of employment.

A Discharge as a result of a claimant's refusal to take a drug test or as a result of a claimant's attempt to invalidate, adulterate or impede test results or an admission that the results would be positive if given a test shall be deemed misconduct and disqualify the individual from waiting week credit and benefits.

The act requires a claimant who is disqualified from receiving unemployment benefits on a second or subsequent occasion within the base period or within a subsequent base period to earn wages at least six times the claimant's weekly benefit amount for each disqualification.

Absenteeism or tardiness may constitute a rebuttable presumption of misconduct.

Currently, the division of employment security must cross-check unemployment compensation applicants and recipients with the federal Social Security Administration's data at least monthly. This act changes this to a weekly requirement.

Under the act, the total annual surcharge shall be calculated by the division as a percentage of total statewide contributions collected during the previous calendar year.

The maximum maturity time period of a credit instrument offered by the Board of Fund Financing is increased from three years to 10 years after issuance. Unpaid principal amounts of any outstanding credit instruments and financing agreements shall not exceed \$450,000,000 combined.

The division shall recover overpayments of benefits through billings, offsets against state and federal income tax refunds, and intercepts of lottery winnings. Shared-work benefits may not be denied in any week containing a holiday for which the holiday earnings are committed to be paid by the employer unless the shared-work benefits are for the same hours in the same day as the holiday earnings.

This act allows a member of the national guard or armed forces reserves deployed after September 11 who was unable to continue their employment to qualify for unemployment compensation. The veteran will be entitled to a maximum weekly benefit of eight percent of the wages paid during the quarter in which the veteran earned the highest amount within the five quarters of deployment. The maximum benefit will be \$1,153.64 adjusted to the consumer price index for twenty six weeks.

Employers who take adverse employment action due to the veteran's absence will be subject to an administrative penalty in the amount of \$25,000.

If the veteran is not offered the same wages, benefits, and work schedule, upon return, the veteran shall not be considered to have voluntarily quit his or her employment.

SPONSOR: Roark

HANDLER: Ridgeway

The provisions of this act shall become effective October 1, 2006.

CHRIS HOGERTY

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SPONSOR: Icet

HANDLER: Ridgeway

SCS/HCS/HB 1485 - The act requires two million dollars in tax credits be made available annually for resident adoptions. The cumulative amount of adoption tax credit which may be issued annually is limited to four million dollars, but such limit may be increased by appropriation. Applications for resident adoption tax credits must be filed between July 1st and April 15th of each year. Applications for non-resident adoption tax credits must be filed between July 1st and December 31st of each year. The act repeals the requirement that the director of the department of revenue submit an annual report to the general assembly on the income levels of taxpayers claiming the adoption tax credit. The act creates the "Children in Crisis" tax credit which is equal to up to fifty percent of an approved contribution to a qualified agency which includes entities receiving funding under the court appointed special advocate fund, child advocacy, or crisis care centers.

In order to become an eligible agency, an agency must apply to the department of social services prior to December 31st of each year. Upon a determination that an agency is eligible as a qualified agency, the department of social services will provide the agency with a letter of eligibility. The department of social services is required to provide the department of revenue with a list of all qualified agencies no later than February 1st of each year. Upon receipt of a contribution, a qualified agency will issue a contribution verification. In order to claim the tax credit provided under this section, a taxpayer must attach the contribution verification to such taxpayer's income tax return.

The children in crisis tax credit is non-refundable, but may be carried forward for up to five consecutive years. The children in crisis tax credit has a cumulative cap equal to the unclaimed portion of the resident adoption tax credit. The amount of remaining credits under the resident adoption tax credit program shall be divided equally among contributions to the agencies eligible under the children in crisis tax credit. In the event the total amount of tax credits claimed exceeds the amount available, the amount redeemed will be apportioned equally to all eligible taxpayers claiming the credit. In the event the children in crisis tax credits do not use all of the remaining tax credits under the resident adoption tax credit program, the remaining amount shall be used for non-resident adoption tax credits.

The director of the Department of Revenue must annually calculate and report to the general assembly and the office of budget and planning the level of appropriation necessary to issue all credits for non-resident special needs adoptions. The report must be submitted by January 31st of each year.

This act authorizes an income tax credit for 50% of contributions to qualified pregnancy resource centers. Pregnancy resource centers are nonresidential facilities that provide assistance and support to women with crisis or unplanned pregnancies and do not provide abortions or referrals for abortion services. The tax credit may be taken against income tax, corporate franchise tax, insurance premium tax, financial institutions tax, and express company tax liability. The tax credit is not refundable, but can be carried forward and claimed for up to four taxable years. The maximum credit a taxpayer can claim is \$50,000 per year, and the minimum contribution must be at least \$100. The statewide maximum of tax credits that can be taken in any one year is \$2 million. The Department of Social Services is to designate the centers and apportion the credits when the applications exceed the statewide cap. The provisions of

SPONSOR: Icet

HANDLER: Ridgeway

this act shall expire six years from the effective date unless reauthorized.

JASON ZAMKUS

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**\*\*\* HB 1488 \*\*\***

SPONSOR: Roorda

HANDLER: Kennedy

HB 1488 - This act designates a portion of Interstate 55 in St. Louis County as the "Officer Thomas G. Smith Jr. Memorial Highway."

STEPHEN WITTE

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**\*\*\* HB 1491 \*\*\***

SPONSOR: Walton

HANDLER: Days

HB 1491- This act provides that the Family Support Division of the Department of Social Services shall determine whether an individual applying for Medicaid is eligible for federal medical services from the Missouri Veterans Commission. If an applicant or recipient is eligible for such services, the division shall urge and encourage the applicant to receive medical services through the Veterans Commission. In addition, the division shall consult with the Veterans Commission regarding a method for determining whether an applicant or recipient of state medical assistance benefits is eligible for veterans' benefits.

This act does not require an individual to exhaust any federal veterans' benefits prior to receiving state medical assistance.

ADRIANE CROUSE

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**\*\*\* HB 1494 \*\*\***

SPONSOR: Emery

HANDLER: Scott

HB 1494 - Under current law, individuals who are at least fifty years of age, have twenty years experience, and pass a written exam or oral exam if they have a bachelor's degree or higher in engineering or science, shall be issued a professional land surveyor or engineer license. This act modifies the licensure requirements for engineers and land surveyors by removing the fifty years of age requirement and the oral examination option.

Under the act, a professional land surveyor license shall be issued to applicants who have twenty years experience and pass the fundamentals of land surveying examination, the principles and practice of land surveying examination, and the Missouri specific examination.

A professional engineer license shall be issued to applicants who hold a bachelor's degree or higher in engineering, have twenty years of engineering experience, and pass part two of the professional engineering exam. Professional engineer license shall also be issued to applicants who hold a degree from an accredited program, a doctorate in engineering from an institution that offers accredited programs, and passes part two of the professional engineering exam. The doctorate degree must be approved by the licensing board.

This act is identical to SB 819 (2006).

CHRIS HOGERTY

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**\*\*\* HB 1509 \*\*\***

SPONSOR: Bruns

HANDLER: Vogel

SCS/HB 1509 - This act modifies the duties of the State Fire Marshal in the Division of Fire Safety within the Department of Public Safety to include the voluntary training of inspectors and public or private employees or volunteers in the field of emergency response, rescue, and fire prevention or preparedness.

The State Fire Marshal is also required to establish and maintain a voluntary training and certification program based upon nationally recognized standards and is authorized to promulgate rules and regulations in order to administer the provisions.

SUSAN HENDERSON MOORE

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\*\*\* HB 1511 \*\*\*

SPONSOR: Lager

HANDLER: Shields

HCS/HB 1511 - This act requires the Department of Elementary and Secondary Education to develop standards for high-quality early childhood education no later than June 30, 2007. The standards shall be applicable to all public school pre-kindergarten programs that receive Title I or Missouri preschool project funds. Such standards shall include, but not be limited to: access for all children whose parents or guardians choose to participate; focus on cognitive, language, physical, and social/emotional development; assessment of needs of children and their families; highly qualified and properly certified teachers; and delivery of comprehensive services supported by strong and accessible technical assistance and professional development.

In developing such standards, the department shall involve various early childhood stake-holders, as specified in the act.

Unless otherwise prohibited by federal law, public school districts shall not be prohibited from charging tuition for early childhood education programs.

This act is identical to the HCS/SB 947 (2006).

DONALD THALHUBER

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\*\*\* HB 1515 \*\*\*

SPONSOR: Behnen

HANDLER: Koster

HCS/HB 1515 – This act provides that within 30 days of any change or renewal of a physician's license, the physician must identify whether the physician is engaged in a collaborative practice or physician assistant agreement and provide the board of registration for the healing arts the name of each party to the agreement. The information will be public record and the board shall track and conduct random reviews of the agreements.

This act is identical to SCS/SB 998 (2006) and similar to SS/SCS/SB 566 (2006).

CHRIS HOGERTY

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\*\*\* HB 1552 \*\*\*

SPONSOR: Brown

HANDLER: Wilson

HCS/HB 1552 - This act allows a homeless veteran to use the post office box or voice mail address of

SPONSOR: Brown

HANDLER: Wilson

any charitable, religious, fraternal, or veterans' organization on applications for federal or state assistance, as long as the organization is willing to provide an address to the veteran for his or her use. Only organizations that have been providing legitimate charitable, religious, fraternal, or veterans services for at least ten years are eligible to provide this service.

ALEXA PEARSON

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\*\*\* HB 1559 \*\*\*

SPONSOR: Cunningham

HANDLER: Callahan

HCS/HB 1559 - This act includes grocery and convenience stores to the list of donors who in good faith donate canned or perishable food to bonafide charities or nonprofit organizations for free distribution without being subject to a criminal penalty or civil damages arising from the condition of the food, unless an injury is caused by the gross negligence, recklessness, or intentional misconduct of the donor.

ADRIANE CROUSE

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\*\*\* HB 1601 \*\*\*

SPONSOR: Weter

HANDLER: Dougherty

SCS/HB 1601 - Under this act, informed consent for an experimental medical treatment is not required if the patient is subject to a life-threatening emergency and the institutional review board responsible for the review, approval, and continuing review of the research activity has approved both the research activity and a waiver of informed consent and has both found and documented that the requirements for an exception from informed consent requirements for emergency research, as approved under federal regulations have been satisfied.

This act contains an emergency clause.

ADRIANE CROUSE

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\*\*\* HB 1617 \*\*\*

SPONSOR: McGhee

HANDLER: Stouffer

HCS/HBs 1617 & 1374 - This act adds to the circumstances where a landowner does not assume liability for injuries caused on his or her land; and includes a situation where a land owner directly or indirectly permits a person to enter his or her land for recreation in compliance with a state-administered recreational access program.

MEGAN WORD

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\*\*\* HB 1687 \*\*\*

SPONSOR: Wright

HANDLER: Champion

HB 1687 - This act provides that drugs donated under the Prescription Drug Repository Program that are not used or accepted by any pharmacies, hospitals, or nonprofit clinics may be distributed to out-of-state charitable repositories for use outside of the state. Out-of-state charitable repositories include any bona fide charitable, religious, or nonprofit organization licensed or regulated in this state as out-of-state wholesale drug distributors or any foreign medical aid mission groups that distribute pharmaceuticals and healthcare supplies to needy persons abroad.

SPONSOR: Wright

HANDLER: Champion

This act is similar to SCS/SBs 575 & 714 (2006)

ADRIANE CROUSE

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\*\*\* HB 1688 \*\*\*

SPONSOR: Johnson

HANDLER: Callahan

HB 1688 - This act prohibits the inclusion of sales tax revenues, derived from a tax imposed by Jackson County for the purpose of sports stadium improvements, as economic activity tax revenue for tax increment financing projects.

JASON ZAMKUS

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\*\*\* HB 1698 \*\*\*

SPONSOR: Lipke

HANDLER: Bartle

CCS/SS/SCS/HCS/HBs 1698, 1236, 995, 1362 & 1290 - This act modifies the laws regarding sexual offenders.

SECTION 43.533 - TOLL-FREE SEXUAL OFFENDER HOTLINE

This section requires the Highway Patrol, subject to appropriation, to operate a toll-free telephone number to disseminate information regarding individuals registered as sexual offenders and receive information from people on the residency of such offenders. The toll-free number will be placed on the Highway Patrol's sex offender registry website.

This section is similar to certain provisions in TAT/SS/SCS/HCS/HB 1698 et al (2006).

SECTION 43.650 - HIGHWAY PATROL SEX OFFENDER INTERNET WEBSITE INFORMATION

This section modifies what information shall be provided on the Highway Patrol's sexual offender registry Internet website. In addition to the information currently provided, the website shall provide the following information about each offender: 1) known aliases, 2) date of birth or alias dates of birth, 3) physical description, 4) temporary, work, and school addresses, 5) a physical description of the offender's vehicles, 6) the nature and date of qualifying offenses, 6) date of release, parole, or probation, 7) the person's compliance status with the registry requirements, and 8) any photographs.

SECTION 188.023 - MANDATORY REPORTERS OF SEXUAL ABUSE

Any licensed health care professional who delivers a baby or performs an abortion, who has prima facie evidence that a patient has been the victim of statutory rape in the first degree or statutory rape in the second degree, or if the patient is under the age of eighteen, that he or she has been a victim of sexual abuse, including forcible rape, sexual assault, or incest, shall be a mandatory reporter of such crimes and abuse.

This section is similar to certain provisions in TAT/SS/SCS/HCS/HB 1698 et al (2006).

SECTIONS 217.735 & 559.106 - ELECTRONIC MONITORING OF PRIOR SEX OFFENDERS

These sections change which offenders must be under lifetime supervision by the Board of Probation and Parole and electronically monitored with a GPS tracking device.

Currently, prior sex offenders, who commit rape, sodomy, child molestation, sexual misconduct or



SPONSOR: Lipke

HANDLER: Bartle

abuse, enticement of a child, or sexual trafficking of a child, against a child under the age of 14, are required to be under lifetime supervision and electronically monitored. Under this act, those who commit sexual trafficking of a child under the age of 12, are also subject to this provision.

These sections also redefine who is a prior sex offender. Currently, a prior sex offender is a person who has previously pled guilty to or has been found guilty of another sex offense under Chapter 566, RSMo. This act modifies the definition to include those who have previously pled guilty to or has been found guilty of incest by having sex with the victim or endangering the welfare of a child in the first degree in a sexual manner.

#### SECTION 351.609 - EXPEDITING SUBPOENAS AND SEARCH WARRANTS OF FOREIGN CORPORATIONS

The provisions of this section shall apply to any subpoena or search warrant issued to search for records that are in the actual or constructive possession of a foreign corporation that provides electronic communication services or remote computing services to the general public, where those records would reveal the information concerning the customers using the service.

When properly served with a subpoena or search warrant issued by a Missouri court, a foreign corporation shall provide all records sought pursuant to the warrant within 5 business days of receipt, including any records maintained or located outside the state. For certain reasons, the time limit for production of the records may be shortened or extended.

A foreign corporation seeking to quash the subpoena or warrant must seek relief from the court that issued the subpoena or warrant within the time required for production of records under this section. The issuing court shall hear and decide that motion no later than five court days after the motion is filed.

A Missouri corporation that provides electronic communication services or remote computing services to the general public, when served with a subpoena or warrant issued by another state to produce records that reveal the customers using those services shall produce those records as if the subpoena or warrant was issued by a court of this state.

No cause of action shall lie against any foreign corporation or Missouri corporation subject to this section, its officers, employees, agents, or other specified persons for providing records, information, facilities, or assistance in accordance with the terms of a warrant subject to this section.

This section is similar to provisions in SB 557 (2006).

#### SECTION 489.042 - COMPUTER ACCESS FOR PROBATION/PAROLE OFFICERS

This section authorizes the Board of Probation and Parole or the court to require a person who is required to register as a sexual offender to give his or her assigned probation or parole officer access to his or her personal home computer as a condition of probation or parole in order to prevent such offender from obtaining and keeping child pornography or committing certain sexual offenses.

This section is similar to certain provisions in TAT/SS/SCS/HCS/HB 1698 et al (2006).

#### SECTIONS 544.671 & 547.170 - DENYING BAIL

Currently, individuals who are under a sentence of death or imprisonment or were sentenced for drug trafficking in the first degree, murder, rape, or first degree assault are not entitled to bail pending an

SPONSOR: Lipke

HANDLER: Bartle

appeal or when an appeal or writ is prosecuted. These sections extend such provision to certain specific sexual offenses and other felonies that are sexual or pornographic in nature if the victim was less than seventeen.

#### SECTION 556.061 - DEFINITION OF DANGEROUS FELONY

This section redefines the term "dangerous felony" to include child kidnapping.

#### SECTION 558.018 - PERSISTENT SEXUAL OFFENDERS

This section increases the minimum term of imprisonment for a "persistent sexual offender" from 30 years without probation or parole to life imprisonment without eligibility for probation or parole.

#### SECTION 559.100 - NO PROBATION OR PAROLE

In addition to other offenses, this section prohibits the courts from granting probation or parole to persons convicted of failing to register as a sex offender as a third offense, forcible rape, forcible sodomy, child molestation, sexual trafficking of a child under the age of twelve, and enticement of a child.

#### SECTION 566.010 - DEFINITION OF "DEVIATE SEXUAL INTERCOURSE"

This section modifies the definition of the term "deviate sexual intercourse" to include certain sexual acts performed to terrorize the victim.

This section is similar to certain provisions in TAT/SS/SCS/HCS/HB 1698 et al (2006).

#### SECTION 566.020 - AFFIRMATIVE DEFENSE OF CONSENT

Under this section, consent is not an affirmative defense to any sexual offense under Chapter 566, RSMo, if the alleged victim is less than 12 years old.

#### SECTION 566.030 - FORCIBLE RAPE

If a person inflicts serious injury, displays a weapon, or subjects the victim to sex with more than one person when committing forcible rape, the authorized term of imprisonment is life imprisonment or not less than fifteen years, rather than the current ten-year minimum term of imprisonment.

Under this section, the required term of imprisonment for a person who commits forcible rape and the victim is less than 12 years of age, shall be life imprisonment without eligibility for probation or parole until the person has served at least 30 years of his or her sentence or unless the person has reached the age of 75 years and has served at least 15 years of such sentence.

A person found guilty of or pleading guilty to forcible rape or attempt to commit forcible rape shall not be granted a suspended imposition of sentence or suspended execution of sentence.

#### SECTION 566.032 - STATUTORY RAPE IN THE FIRST DEGREE

This section makes the penalty for attempt to commit statutory rape in the first degree a felony with an authorized term of imprisonment of not less than 5 years, unless certain aggravating circumstances exist, in which case, the term of imprisonment shall not be less than 10 years. This penalty is the same as the current penalty for committing statutory rape.

#### SECTION 566.060 - FORCIBLE SODOMY

Under this section, the term of imprisonment for a person who commits forcible sodomy and the victim is less than 12 years of age, shall be life imprisonment without eligibility for probation or parole

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HANDLER: Bartle

until the person has served at least 30 years of his or her sentence or unless the person has reached the age of 75 years and has served at least 15 years of such sentence.

A person found guilty of or pleading guilty to forcible sodomy or attempt to commit forcible sodomy shall not be granted a suspended imposition of sentence or suspended execution of sentence.

#### SECTION 566.062 - STATUTORY SODOMY IN THE FIRST DEGREE

This section makes the penalty for attempt to commit statutory sodomy in the first degree a felony with an authorized term of imprisonment of not less than 5 years, unless certain aggravating circumstances exist, in which case, the term of imprisonment shall not be less than 10 years. This penalty is the same as the current penalty for committing statutory sodomy.

#### SECTION 566.067 - CHILD MOLESTATION IN THE FIRST DEGREE

Under this section, a person who commits child molestation in the first degree against a child less than twelve years of age and with certain aggravating circumstances existing, shall be guilty of a Class A felony and shall serve his or her term of imprisonment without eligibility for probation or parole.

#### SECTION 566.083 - SEXUAL MISCONDUCT WITH A CHILD

This section specifies that sexual misconduct with a child may be committed in person or via the Internet. It is not an affirmative defense that the other person whom the offense was committed against was a peace officer masquerading as a minor.

This section is similar to certain provisions in SB 563 (2006) & SB 869 (2006).

#### SECTION 566.086 - SEXUAL CONTACT WITH A STUDENT

Currently, only a teacher who has sexual contact with a student while on public school property is guilty of the crime of sexual contact with a student.

Under this act, any teacher or student teacher, school employee or volunteer, volunteer of an organization working with the school, or any person employed by an entity that contracts with the public school district to provide services shall be guilty of such crime if he or she has sexual contact with a student on school property. The term "school property" includes the property of any public elementary or secondary school or any school bus used by the public school district.

The crime of sexual contact with a student is a Class D felony.

This section is similar to SB 579 (2006).

#### SECTION 566.090 - SEXUAL MISCONDUCT IN THE FIRST DEGREE

This section defines the crime of sexual misconduct in the first degree as a person purposely subjecting another person to sexual contact without consent. It removes the provision allowing this crime to be committing by having deviate sex with a person of the same sex.

#### SECTION 566.145 - SEXUAL CONTACT WITH A PRISONER OR OFFENDER

This section expands the current crime of "sexual contact with an inmate" to "sexual contact with a prisoner or offender".

Currently, an employee of a prison, jail or correctional facility is guilty of sexual contact with an

SPONSOR: Lipke

HANDLER: Bartle

inmate by having sex with an inmate. Under this act, a person is also guilty of such crime if he or she is a probation and parole officer and has sex with an offender. An "offender" is a person in prison or jail or a person under supervision of the Board of Probation and Parole.

#### SECTION 566.147 - SEXUAL OFFENDERS RESIDING NEAR SCHOOLS

Currently, this section prohibits certain offenders from establishing a residence within 1,000 feet of a school or child-care facility. This section prohibits such offenders from "residing" within 1,000 feet of a school. "Residing" is defined as "sleeping in a residence, which may include more than one location and may be mobile or transitory."

Also, persons convicted of invasion of privacy in the second degree are removed from this restriction.

#### SECTION 566.149 - SEXUAL OFFENDER ON SCHOOL GROUNDS

This section prohibits sexual offenders from being present in or loitering within 500 feet of a school building or property or a school-related activity when persons under age 18 are present, unless the person is a parent or guardian of a student in the building and has met the received permission from the school administration. Permission may be granted for one event or for a series of events. Violation of this section is a class A misdemeanor.

This section is similar to SB 753 (2006).

#### SECTION 566.151 - ENTICEMENT OF A CHILD

This section makes enticement of a child or attempting to entice a child a felony with an authorized term of imprisonment of not less than 5 years but not more than 30 years. No person convicted of this crime shall be eligible for probation, parole, conditional release, or suspended imposition or execution of sentence for five calendar years. The crime of attempting to entice a child shall have the same penalty.

#### SECTION 566.213 - SEXUAL TRAFFICKING OF A CHILD UNDER TWELVE

This section creates the crime of sexual trafficking of a child under the age of twelve. A person commits this crime if the person recruits, entices, transports, provides, or causes a person under the age of twelve to engage in a commercial sex act. It is not an affirmative defense that the defendant believed that the person was twelve years of age or older. This crime is a felony with an authorized term of imprisonment of life imprisonment without eligibility for probation or parole for 25 years.

#### SECTION 566.265 - REVOCATION OF BUSINESS

Under this section, if a business pleads guilty to or is found guilty of violating the laws against human trafficking or abuse through forced labor, the court may:

- Order its dissolution or reorganization;
- Order the suspension or revocation of any license or permit granted to the business;
- Order the surrender of its charter or the revocation of its certificate to conduct business.

This section is identical to a provision of SB 1168 (2006).

#### SECTION 567.085 - PROMOTING TRAVEL FOR PROSTITUTION

This section creates the crime of promoting travel for prostitution. A person commits such crime if he

SPONSOR: Lipke

HANDLER: Bartle

or she knowingly sells or offers to sell travel services that include or facilitate travel for the purpose of engaging in prostitution. The crime is a Class C felony.

This section is identical to a provision of SB 1168 (2006).

#### SECTION 567.087 & 567.089 - RESTRICTIONS ON TOUR OPERATORS OR TRAVEL AGENCIES

No travel agency or charter tour operator shall:

- Promote travel for prostitution; or
- Sell, advertise, or otherwise offer to sell travel services for purpose of engaging in a commercial sex act or which offer sexual contact as an enticement for tourism or which provide access to sex escorts or sexual services.

There shall be a rebuttable presumption that any agency or tour operator using advertisements that include certain terms or include depictions of human genitalia is in violation of this section.

No travel agency or charter tour operator shall engage in selling, advertising, or otherwise offering to sell travel services, tourism packages, or activities that solicit, encourage, or facilitate travel for the purposes of engaging in prostitution.

Upon violation of this provision, the secretary of state shall revoke the articles of incorporation of such business. The secretary of state, as part of a proceeding brought under this section, may order a freeze on the bank or deposit accounts of the travel agency or charter tour operator.

These sections are identical to provisions of SB 1168 (2006).

#### SECTION 568.020 - INCEST

This section removes duplicative definitions.

#### SECTION 573.010 - Definition of Child Pornography

This section modifies the definition of child pornography to include any visual depiction of sexually explicit conduct where: 1) the production involves the use of a minor engaging in sexually explicit conduct; 2) such depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or 3) such depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

#### SECTION 575.159 - AIDING A SEXUAL OFFENDER

This section creates the crime of aiding a sexual offender. Under this section, any person who assists a sexual offender in eluding a law enforcement agency that is seeking to find the sexual offender to question him or her about, or to arrest the offender for, his or her noncompliance with the registration requirements is guilty of a Class D felony.

This section is similar to certain provisions in SB 570 (2006).

#### SECTION 575.195 - ESCAPING FROM COMMITMENT, DETENTION, OR CONDITIONAL RELEASE

SPONSOR: Lipke

HANDLER: Bartle

This section specifies that individuals institutionally committed under the "sexual psychopath" statutes in effect prior to 1980 can be guilty of escaping from commitment. Escape from commitment or detention is a Class D felony. It also creates the crime of escape from conditional release, which is a class D felony.

This section is similar to SB 782 (2006).

#### SECTION 589.400 - SEXUAL OFFENDER REGISTRY

This section adds sexual contact with a resident of a nursing home, endangering the welfare of a child if committed in a sexual manner, genital mutilation, and sexual trafficking of a child, both generally and against children under the age of twelve, to the list of offenses for which a person must register as a sexual offender.

This section removes kidnaping when the victim is a child and the defendant is a parent or guardian of the child, felonious restraint when the victim is a child and the defendant is a parent or guardian of the child, and non-sexual child abuse from the list of offenses for which a person must register as a sexual offender. Individuals who are currently on the sexual offender registry for such offenses shall no longer be required to register as of August 28, 2006. Such person shall remain on the registry for any other offense for which he or she must register.

As of August 28, 2006, a person on the sexual offender registry for the following offenses may petition the civil division of the circuit court in which he or she plead guilty to or was found guilty of the offense for removal from the registry after ten years if there was no use of force or threat of force in the commission of the crime:

- Promoting prostitution in the second or third degree
- Public display of explicit sexual material
- Statutory rape in the second degree

As of August 28, 2006, a person on the sexual offender registry for any offense may petition the civil division of the circuit court in which he or she plead guilty to or was found guilty of the offense for removal from the registry after two years if there was no use of force or threat of force in the commission of the crime and the offender was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense.

The court may order such relief if the person has no pending charges for which he or she would have to register. The prosecuting attorney shall be given notice of the petition to present evidence in opposition or may otherwise demonstrate the reasons why the petition should be denied. The prosecuting attorney shall make reasonable efforts to notify the victims. If the petition is denied, the registrant shall wait at least 12 months before petitioning again.

If the court finds the person is entitled to relief for removal of his or her name from the registry, a copy of the written findings or order shall be forwarded to the chief law enforcement officer and the Highway Patrol in order to remove the person's name.

Any nonresident worker or student shall register and is not entitled to this type of relief. Any registered offender from another state who has a temporary residence in this state and resides more than

SPONSOR: Lipke

HANDLER: Bartle

14 days in a 12-month period shall register for the duration of his or her residency and is not entitled to this relief.

A person removed from the registry no longer has to fulfill the registration requirements unless he or she is later required to register for another offense.

This section modifies the term "chief law enforcement officer" to include the chief officer of St. Louis City as well as any county.

#### SECTION 589.402 - NEWSPAPER PUBLICATION AND WEBSITE INFORMATION

This section modifies what information shall be provided on the sexual offender registry website of any county or St. Louis City. In addition to the information currently provided, the website shall provide the following information about each offender: 1) known aliases, 2) date of birth or alias dates of birth, 3) physical description of the offender, 4) residence address, 5) temporary, work, and school addresses, 6) a physical description of the offender's vehicles, 7) the nature and date of qualifying offenses, 8) date of release, parole, or probation, 9) any photographs, and 7) the person's compliance status with the registry requirements.

This section allows the chief law enforcement officer of any county or St. Louis City to publish the registration information of sexual offenders living within the county or city in the newspaper.

This section modifies the term "chief law enforcement officer" to include the chief officer of St. Louis City as well as any county.

#### SECTIONS 589.403 & 589.405 - NOTIFICATION OF DUTY TO REGISTER

This section modifies the term "chief law enforcement officer" to include the chief officer of St. Louis City as well as any county.

#### SECTION 589.407 - REGISTRATION INFORMATION

In addition to current information provided, this section requires any registered sexual offender to provide a description of his or her vehicles. Also, the offender must provide positive identification and documentation to substantiate the accuracy of the information provided on his or her registration form, including: 1) a copy of a valid driver's license or ID card; 2) a document verifying proof of the offender's residency; and 3) a copy of the vehicle registration for each of the offender's vehicles.

#### SECTION 589.414 - UPDATING PHOTOS OF SEXUAL OFFENDERS

This section requires registered sexual offenders to provide an updated photograph once a year to law enforcement when they go for their reporting. Such offenders must report semi-annually, rather than annually.

This section modifies the term "chief law enforcement officer" to include the chief officer of St. Louis City as well as any county.

This section is similar to provisions in SB 557 (2006).

#### SECTION 589.425 - FAILING TO REGISTER AS A SEX OFFENDER

This section restructures the penalties for failing to register as a sex offender.

SPONSOR: Lipke

HANDLER: Bartle

Under this act, a person who is required to register and does not complete all the requirements of registration is guilty of failing to register as a sex offender, which is a Class A misdemeanor unless the person is required to register based on having committed a sex crime under Chapter 566, RSMo, which is an unclassified felony, a Class A felony, a Class B felony, or any felony involving a child under the age of 14, in which case, it is a Class D felony.

Failing to register as a sex offender as a second offense is a Class D felony unless the person is required to register based on having committed a sex crime under Chapter 566, RSMo, which is an unclassified felony, a Class A felony, a Class B felony, or any felony involving a child under the age of 14, in which case, it is a Class C felony.

Failing to register as a sex offender as a third offense is a felony punished by a term of imprisonment of not less than 10 years but not more than 30 years. No court may suspend the imposition or execution of sentence of a person who commits such crime and no court may sentence such person to pay a fine in lieu of imprisonment. A person sentenced to such crime shall not be eligible for conditional release or parole until he or she has served at least two years of imprisonment. Upon release, a mandatory condition of supervision is that the offender shall be electronically monitored.

#### SECTION 600.042 - PUBLIC DEFENDERS

The state public defender system shall provide legal services to eligible persons, who have been taken into custody, for appeals from petitions for release.

#### SECTION 632.484, 632.489, AND 632.495 - HOUSING SEXUALLY VIOLENT PREDATORS

These sections specify that individuals being detained by the court for evaluation to determine whether they are sexually violent predators and individuals who have already been determined to be sexually violent predators may be housed together in the same location by the Department of Mental Health.

These sections are similar to SB 783 (2006).

#### SECTION 632.495 - SEXUALLY MOTIVATED OFFENSE

If a petition is filed alleging that a person committed a sexually violent offense for which a person could be civilly committed, the attorney general must prove by clear and convincing evidence that the offense was sexually motivated. "Sexually motivated" means one of the purposes for which the crime was committed was sexual arousal or gratification.

#### SECTION 632.498 - ANNUAL REVIEW BY THE COURT

Currently, each person civilly committed shall have an annual examination of his or her mental health. The court that committed the person shall conduct an annual review of the person's status and have a hearing. Nothing in the section shall be construed as prohibiting a person from petitioning the court for conditional release. However, if the committed person petitions the court for conditional release over the Director of the Department of Mental Health's objection, the petition shall be served upon the court that committed the person, the director, the head of the facility housing the person, and the attorney general. Under this section, the court shall not conduct an annual review of a person's status if he or she has been conditionally released.

Under this section, if the court determines at the hearing that the person no longer suffers from mental abnormalities that would likely make he or she engage in sexual violence, the court shall set a trial on the



SPONSOR: Lipke

HANDLER: Bartle

issue. The burden of proof at the trial shall be upon the state to prove by clear and convincing evidence, rather than beyond a reasonable doubt, that the person should remain committed. Any such determination by a jury shall be unanimous. If the court or jury find that the person's mental abnormality remains and he or she is a threat, the person shall remain in a secure facility. If the court or jury finds the person is changed, so that he or she is unlikely to commit acts of sexual violence if released, the person shall be conditionally released.

#### SECTION 632.501 & 632.504 - PETITIONS FOR RELEASE

If a person is released, the petition shall be served upon the court, the director of the Department of Mental Health, the director of the housing facility, and the Attorney General.

#### SECTION 632.505 - CONDITIONAL RELEASE

The Department of Mental Health may enter into an interagency agreement with the Department of Corrections for supervision of people granted a conditional release by the court.

This section establishes the requirements for conditional release. The Department of Corrections and the Department of Mental Health shall develop a conditional release plan, which addresses the various needs of the person being released. The Department of Mental Health shall submit the plan to the court and the court will determine whether it is sufficient. The court shall order that the person is subject to numerous conditions, including but not limited to, maintaining a residence approved by the department and employment, obeying all laws, not possessing a firearm, taking all medication, and not participating in activities with children without approval. The court may modify the conditions.

The court shall provide a copy of the order containing the conditions of release to the person, the attorney general, the Department of Mental Health, the head of the facility housing the person, and the Department of Corrections. A person who is conditionally release shall be supervised by a probation and parole officer.

If a probation and parole officer believes the person should no longer be released or has violated a condition of release, the officer may issue a warrant for the person's arrest. The warrant shall direct any peace officer to take the person into custody immediately in order to be returned to a secure facility.

If the Director of Mental Health believes the person should no longer be released or has violated a condition of release, he or she may request that a peace officer take the person into custody or request a probation or parole officer issue an arrest warrant. The court may issue a notice to the person to appear to answer a charge of a violation at any time and the court may issue an arrest warrant that authorizes the return of the person.

No peace officer responsible for apprehending and returning the person to the facility upon request shall be civilly liable if such duties were performed in good faith and without negligence. The department shall notify the court of the person's return.

Within seven days, the department shall file a petition to revoke conditional release or continue the person on release. A person shall remain in custody until a hearing, which has priority on the docket, is held on the revocation. If the court finds the person is no longer suitable for conditional release, the court shall revoke such release and order the person's return to a secure facility. If the person is not returned, the court may modify the conditions of release.

A person whose conditional release has been revoked may petition for subsequent release no sooner

SPONSOR: Lipke

HANDLER: Bartle

than 6 months after his or her return.

The departments may require a person on conditional release to pay a reasonable fee for providing services and monitoring.

If a person on conditional release escapes from custody, the Department of Mental Health shall notify the court, the Department of Corrections, the county law enforcement, and the attorney general. The attorney general shall notify the victims and witnesses and file escape from commitment charges.

#### SECTION 632.507 - VICTIMS' INFORMATION RIGHTS

This section requires the Attorney General to inform victims of a sexually violent offense of the filing of any petition for conditional release by the perpetrator.

#### SECTION 650.120 - INTERNET CRIME INVESTIGATION GRANT PROGRAM

Subject to appropriation, the Department of Public Safety shall create a program to distribute grants to multijurisdictional Internet cyber crime law enforcement task forces and other law enforcement agencies. The grants shall be awarded and used to pay the salaries of detectives and computer forensic personnel and to provide funding for the training of law enforcement personnel. A panel of nine members awards the grants. This section outlines the requirements that must be met in order to qualify for a grant.

#### SECTION 1 - HIGHWAY PATROL NOTIFICATION

The Department of Corrections shall notify the Highway Patrol of any offender who is required as a mandatory condition of lifetime supervision to be electronically monitored and shall notify the Patrol when the supervision of such offender has been terminated. The Highway Patrol shall enter the electronic monitoring of the offender into MULES and sexual offender registry.

This act contains an emergency clause.

Certain provisions in this act are similar to HCS/SS/SCS/SB 588 et al (2006).

SUSAN HENDERSON MOORE

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**\*\*\* HB 1703 \*\*\***

SPONSOR: Yates

HANDLER: Bartle

HCS#2/HB 1703 - This act provides that political subdivisions forming a business entity for the purpose of providing liability and other insurance under Section 537.620 are not to be considered an insurance company or insurer under the laws of Missouri and that the activities provided by the subdivisions in this regard shall not constitute the transaction of insurance business.

STEPHEN WITTE

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**\*\*\* HB 1707 \*\*\***

SPONSOR: Dusenber

HANDLER: Bartle

SCS/HB 1707 - Currently, the State Registrar of Vital Statistics may appoint local registrars, each of whom must be person employed by a county health agency. This act allows local registrars to be an employee of either a county or city health agency.

Currently, the recorder of deeds for Jackson County must have a Kansas City office and must record

SPONSOR: Dusenberg

HANDLER: Bartle

all instruments affecting property within a certain area at such office. This act gives the recorder discretion about recording such instruments at the Kansas City office. Such deeds and instruments may also be recorded at the office located at the county seat office of Jackson County.

This act is similar to SB 1177 (2006) & portions of SCS/SB 1011 (2006).

SUSAN HENDERSON MOORE

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\*\*\* HB 1715 \*\*\*

SPONSOR: Pratt

HANDLER: Bartle

HB 1715 - Under current law, stock certificates must be signed by certain officers of the corporation and bear the corporate seal. This act allows a corporation to establish other practices if provided in the articles of incorporation or bylaws.

Under current law, expenses incurred in defending civil and criminal actions may be paid by the corporation under certain situations. This act allows corporations to pay expenses incurred in defending administrative and investigative actions.

This act modifies the process for appraisal rights for shareholders of a corporation which is a party to a merger or consolidation. Under current law, a shareholder who fails to demand payment for shares within 20 days after the merger or consolidation is effected, consents to the merger or consolidation. Under the act, the shareholder must also fail to file a written objection at the meeting where the merger or consolidation was voted upon and vote in favor of the merger or consolidation in order to consent to the merger or consolidation.

Notice stating the purpose for which the shareholder meeting is called shall be given to each shareholder owning stock when the plan of merger or consolidation is submitted to a vote at the meeting, whether or not the shareholder holds voting shares.

CHRIS HOGERTY

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\*\*\* HB 1732 \*\*\*

SPONSOR: Fraser

HANDLER: Days

HB 1732 - Currently, the self-administration of an asthma inhaler by students is permissible under certain conditions.

This act broadens permissible self-administered medications to include auto-injectable epinephrine for anaphylactic shock. The act specifies the necessary conditions for self-administration, including: a written treatment plan, proof that a student has demonstrated the skill required, and a signed liability release for the school.

DONALD THALHUBER

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\*\*\* HB 1739 \*\*\*

SPONSOR: Dusenberg

HANDLER: Bartle

HCS/HB 1739 - The act includes certain vermiculture operations in the list of agricultural operations eligible for agriculture loan programs including the link deposit loan program and the Missouri agricultural and small business development loan program. The act defines an eligible vermiculture

SPONSOR: Dusenberg

HANDLER: Bartle

operation as a business entity engaged in raising earthworms under a controlled environment and which has received a single-purpose animal facilities loan guarantee.

MEGAN WORD

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\*\*\* HB 1759 \*\*\*

SPONSOR: Wasson

HANDLER: Clemens

HCS/HB 1759 - Under current law, the Missouri Board for the Healing Arts must prepare and conduct examinations for applicants for licensure as athletic trainers. This act relieves the board of this duty and requires prospective trainers to pass the National Trainers Association Board of Certification examination. This act also repeals a provision that requires the applicant to meet certain academic and experience requirements as a prerequisite to licensure.

This act is substantially similar to SCS/SB 756 (2006).

CHRIS HOGERTY

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\*\*\* HB 1762 \*\*\*

SPONSOR: Wilson

HANDLER: Scott

SCS/HCS/HB 1762 - This act exempts a person who presents proof of permanent disability from the United States Veterans Administration from the four-year certification requirement for renewal of disabled license plates. Initial applications must still be accompanied by a physician's statement. The act adds advanced practice registered nurses to definition of "other authorized health care practitioner" for purposes issuing disabled placards and license plates. The director must check with the Missouri State Board of Nursing to verify that the advanced practice registered nurse is duly licensed and registered pursuant to law.

STEPHEN WITTE

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\*\*\* HB 1787 \*\*\*

SPONSOR: Jackson

HANDLER: Mayer

SCS/HCS/HB 1787 - This act creates the "Guard at Home" program to assist families of active duty national guard members or reserve component service members who have been deployed for active duty with financial and employment needs, and to assist returned guard members with employment and training needs so that they may reenter the workforce. The Department of Economic Development will enter into a contract through local workforce investment boards with a qualified provider, as provided in this act, to implement the program. The provider shall be an accredited community-based not for profit agency with experience in providing job training and social services to veterans and veterans organizations, that is able to provide certain matching funds to the program.

Eligible families will be those in which the primary income-earner was called to active duty for more than four months, and who suffer financial hardships due to a lack of outside resources.

Services under the program may include various forms of financial assistance, vocational evaluations, counseling and training, paid internships or subsidized employment, and other job placement assistance.

The department shall prepare a report on the progress of implementation of the program by January 1, 2007.

SPONSOR: Jackson

HANDLER: Mayer

This act has an emergency clause.

This act is similar to SCS/SB 1145 (2006).

ALEXA PEARSON

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SPONSOR: Wasson

HB 1827 - The act lowers the number of members an group association health insurance plan must have. Current law requires group health insurance plans to be issued to associations that have at least 100 members. The act lowers this to 50. The act also creates a new type of group health insurance policy. Under the act, a group policy may be issued to an association or to a trust or to the trustees of a fund established, created and maintained for the benefit of employer members of one or more associations, or issued to an employer member of an association for a health benefit plan negotiated by the association for the benefit of its employer member companies. The association or associations shall have at the outset a minimum of fifty employer members. The association shall have been organized and maintained in good faith for purposes other than that of obtaining insurance and must have been in active existence for at least two years.

The act allows the director to exempt insurers that issue health benefit plans to small and large employers from the index rate restriction which prohibits the index rate for a rating period for any class of business from exceeding the index rate for any other class of business by more than 20%. In order to exceed the 20% rating band, the health benefit plan must be underwritten and rated as a single employer, have a uniform health benefit plan design, guarantee issue to all association employer members and eligible employees, and comply with other federal and state insurance requirements.

STEPHEN WITTE

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SPONSOR: Yates

HANDLER: Loudon

SS/SCS/HCS/HB 1837 - This act modifies various provisions relating to medical malpractice insurance and the enforcement powers of the Department of Insurance with respect to such policies.

ADMINISTRATIVE ORDERS AND REMEDIES OF THE DEPARTMENT OF INSURANCE - If the director of the Department of Insurance determines that a person has violated or is attempting to violate a provision of the insurance code, the director may issue:

- (1) An order directing the person to cease and desist from engaging in the act, practice, omission or course of business;
- (2) A curative order or order directing the person to take other action necessary or appropriate to comply with the insurance laws of this state;
- (3) Order a civil penalty or forfeiture; and
- (4) Award reasonable costs of the investigation.

SPONSOR: Yates

HANDLER: Loudon

The act provides that the director shall provide the alleged violator notice of the director's intent to issue an order unless summary action is needed to protect consumers. The act provides for administrative hearings so that alleged violators can contest the issuance of the administrative orders. The act requires the director to issue findings of fact and conclusions of law before an order becomes final. Under the act, the director is authorized to issue subpoenas, compel attendance of witnesses, administer oaths, hear testimony of witnesses, receive evidence, and require the production of books, papers, records, correspondence and all other written instruments or documents relevant to the proceeding and authorized in contested cases under the provisions of Chapter 536, RSMo. The act modifies the penalty for violating a cease and desist order issued by the Department of Insurance.

Currently, the law provides that a person who violates a cease and desist order may be punished by a maximum \$1,000 fine and up to one year in jail. The act provides for a fine up to \$100,000 and a term of imprisonment of 10 years (Section 374.046.16).

**REVOCATION OF CERTIFICATE OF AUTHORITY** - The act allows the director to suspend or revoke a corporation's or insurer's certificate of authority for violating a provision of the insurance code or for felony or misdemeanor convictions. The director must provide the corporation or insurer with 30 days notice before revoking the certificate of authority and must provide such entity with a hearing if so requested (Section 374.047).

**PETITION OF CIRCUIT COURT** - The act allows the director to seek redress in county circuit courts and the court may issue injunctions, freeze assets or take other remedial measures outlined in the act. The act creates the consumer restitution fund for the purpose of preserving and distributing to aggrieved consumers, disgorgement or restitution funds obtained through enforcement proceedings brought by the director (Section 374.048).

**CLASSIFICATION OF ADMINISTRATIVE PENALTIES** – The act classifies various violations of the insurance code into five categories. The act establishes maximum fines for each category or level violation. All fines shall go to public schools as required by the Missouri Constitution (Section 374.049).

**383 ASSOCIATION ASSESSMENTS** - This act provides that 383 malpractice associations articles of association and bylaws shall specify and define the types of assessments its members pay to cover losses and expenses incurred by the association. The articles of association and bylaws shall also specify the type of assessments that apply to members and former members. The act also provides that the articles of association and bylaws shall specify the exact method by which assessment amounts are determined, the time assessments must be paid, and other criteria (Section 383.016).

**383 MALPRACTICE ASSOCIATIONS** - This act subjects 383 malpractice associations to the medical malpractice reporting requirements of Sections 383.100 to 383.125 and subjects such organizations to certain notification, data reporting and rating requirements (Section 383.035).

**FILING OF INFORMATION BY MEDICAL MALPRACTICE INSURANCE COMPANIES** - This act modifies the definition of "insurer" to include 383 medical malpractice associations and self-insured health care providers for the purposes of filing medical malpractice claim reports (Section 383.105). The act requires the director of the Department of Insurance to establish by rule reporting standards in which insurers shall report annually insurance premiums, losses, exposure, and other information the director may require. This data will assist the department to monitor marketplace rates, financial solvency, affordability and the availability of medical malpractice insurance. The data collected shall be compiled

SPONSOR: Yates

HANDLER: Loudon

in such a manner to assist medical malpractice insurers in developing future base rates, schedule rating or individual rating factors. The act requires the director to establish risk-reporting categories for medical malpractice insurance and establish regulations for the reporting of all base rates and premiums charged by such categories. These risk-reporting categories shall be established prior to May 30, 2007. Beginning June 1, 2008, medical malpractice insurers and self-insured health care providers must provide an annual report describing the actual rates or assessments charged for insurance for each of the risk-reporting categories (Section 383.106). Many of the medical malpractice reporting provisions can be found in SB 905 & 910 (2006).

**PUBLISHING OF MARKET RATES** - The act requires the director to establish and publish market rates using the data collected under the act. The market rate shall reflect the median of the actual rates charged by insurers (those who have at least a 3% market share) for the various risk-reporting categories for the preceding year (Section 383.107).

The director shall, utilizing the information provided by Section 383.106, publish comparisons of the base rates charged by each insurer (Section 383.108).

**PENALTIES FOR NOT FILING OR REPORTING INFORMATION** - If an insurer violates any of the provisions relating to reporting medical malpractice information, the director may issue administrative orders and seek other remedies outlined in the act to assure compliance (Section 383.124).

**RATE FILING** - Under this act, every insurer shall file with the director all rates and supplementary rate information which is to be used in the state. Such rates and supplementary rate information shall be filed before use. All rates and supplementary rate information shall, as soon as filed, be open to public inspection at any reasonable time (Section 383.196).

**MEDICAL MALPRACTICE RATES** - Under the act, medical malpractice insurers are prohibited from issuing and selling policies that have base rates that are excessive, inadequate, or unfairly discriminatory. The act delineates a multitude of factors that the director will use to determine whether a rate is excessive, inadequate, or unfairly discriminatory. Rates will be based upon Missouri loss experience only, not experience from other states unless the failure to do so will jeopardize the financial stability of the insurer. Investment income and losses for the insurer's previous ten-year period may also be considered. The act allows insurers to charge an additional premium surcharge or discount based on the health care provider's loss experience, training, and other factors (Section 383.198).

**NOTICE PRIOR TO INCREASING RATES, REFUSAL TO RENEW POLICIES OR CEASING BUSINESS** - The act prohibits medical malpractice insurers from increasing rates by more than 15% without providing at least 60 days written notice to the insured (Section 383.199). The act prohibits medical malpractice insurers from refusing to renew a policy without providing 60 days written notice. The act also prohibits medical malpractice insurers from ceasing the issuance of such policies without first providing at least 180 days notice to the Department of Insurance (Section 383.450).

**HEALTH CARE STABILIZATION FUND FEASIBILITY BOARD** - This act creates the Health Care Stabilization Fund Feasibility Board within the Department of Insurance to analyze medical malpractice data to determine whether a health care stabilization fund should be established in Missouri. As part of its duties, the board shall develop a comprehensive study detailing whether a health care stabilization fund is feasible within Missouri, or specified geographic regions thereof, or whether a health care stabilization fund would be feasible for specific medical specialties. If a health care stabilization fund is feasible within

SPONSOR: Yates

HANDLER: Loudon

Missouri, the report shall also recommend to the general assembly how the fund should be structured, designed, and funded.

The board shall consist of ten members. Other than the director, the house members and the senate members, the remainder of the board's members shall be appointed by the director of the Department of Insurance. The board shall be composed of:

- (1) The director of the department of insurance, or his or her designee;
- (2) Two members of the Missouri senate appointed by the president pro tem of the senate with no more than one from any political party;
- (3) Two members of the Missouri house of representatives appointed by the speaker of the house with no more than one member from any political party;
- (4) One member who is licensed to practice medicine as a medical doctor in Missouri who is on a list of nominees submitted to the director by an organization representing Missouri's medical society;
- (5) One member who practices medicine as a doctor of osteopathy and who is on a list of nominees submitted to the director by an organization representing Missouri doctors of osteopathy;
- (6) One member who is a licensed nurse in Missouri and who is on a list submitted to the director by an organization representing Missouri nurses;
- (7) One member who is a representative of Missouri hospitals and who is on a list of nominees submitted to the director by an organization representing Missouri hospitals; and
- (8) One member who is a physician and who is on a list submitted to the director by an organization representing family physicians in the state of Missouri.

The director shall appoint the members of the board, other than the General Assembly members, no later than January 1, 2007. Once appointed, the board shall meet at least quarterly, and shall submit its final report and recommendations regarding the feasibility of a health care stabilization fund to the Governor and the General Assembly no later than December 31, 2010. The act also requires the board to submit annual reports on the board's progress. This portion of the act will expire December 31, 2010 (Section 383.515). This provision was contained in SB 939 (2006).

STEPHEN WITTE

SPONSOR: Lipke

HANDLER: Goodman

HB 1857 - This act specifies that a prosecution is commenced for a misdemeanor or infraction when the information is filed. A prosecution for a felony is commenced when the complaint or indictment is filed.

SUSAN HENDERSON MOORE

SPONSOR: Lipke

HANDLER: Goodman



SPONSOR: Lipke

HANDLER: Goodman

HB 1858 - This act allows a prosecuting or circuit attorney to dismiss a complaint, information, or indictment, or any count, without obtaining the consent of the court. The dismissal may be made orally or by written statement. Any such dismissal filed prior to the time double jeopardy has attached is without prejudice. If filed after double jeopardy has attached, the dismissal is with prejudice, unless the defendant has consented to having the case dismissed with prejudice.

SUSAN HENDERSON MOORE

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SPONSOR: Dempsey

HANDLER: Shields

CCS/SS/HCS/HB 1900 – This act requires those persons who lobby elected local government officials in governments with an annual operating budget of over ten million dollars to conform to the same reporting requirements as those who lobby state officials.

Under current law, lobbyists shall file with the ethics commission five days after commencing lobbyist activities. This act allows for filing on January 5th of each year or five days after commencing lobbyist activities.

The act restricts lobbyist expenditures for caucuses only to include those of the minority and majority parties of the House and Senate.

Under the act, lobbyists shall not make expenditures on behalf of senators and representatives, for travel and lodging outside of the state unless approved prior to the date of expenditure by the Administration and Accounts committee of the House or the Administration Committee of the Senate. The act requires lobbyists to report the time, venue, and nature of entertainment expenditures.

The act requires the inclusion of the names and addresses of certain committees for which individuals received payment to be included on financial interest statements. The statements must be filed electronically with the Ethics Commission.

The Ethics Commission shall deliver copies of complaints, including the name of the complainant to any alleged violator within five days of receiving a complaint. The commission must also notify the alleged violator if the commission decides to audit the individual. The Ethics Commission must dismiss frivolous cases and provide notice to the complainant and alleged violator of the dismissal.

Under current law, the executive director of the Ethics Commission must assess fines and give notice to candidates who fail to file campaign disclosure reports. Alternatively, under the act, the executive director must assess fines upon and give notice to the committee.

Candidates shall be disqualified from elections if the candidate is a past or present corporate officer of any fee office that owes any taxes to the state or is delinquent in the filing or payment of income, personal property or real property taxes. Felons are barred from running for elective public office.

Members of or candidates for the General Assembly may not form a candidate committee for the office of the speaker of the House or pro tem of the Senate. Continuing committees shall be formed no later than 60 days prior to an election for which the committee receives contributions or makes expenditures.

SPONSOR: Dempsey

HANDLER: Shields

The act repeals all caps on contributions. Monetary contributions shall not be made from any political party committees to any candidate committees, continuing committees, or political party committees. Candidate committees are not limited from making contributions to other committees.

Candidates for the House of Representatives, Senate, or statewide office shall not accept any contributions during legislative session. Only candidates for special election to the House, Senate, or statewide office may, during session, accept contributions from the date of their nomination by his or her respective political party until 30 days after the election.

The Ethics Commission shall organize its Internet website showing expenditures made in support of and against each candidate by candidate.

The act requires continuing committees to submit additional reports if it makes aggregate expenditures not later than 24 hours after expenditures of \$500 or more if they are made after the 12th day before the election. Expenditures of \$250 or more made by committees must be filed within 24 hours. The act also requires the electronic filing of disclosure reports with the Ethics Commission.

Complaints shall not be accepted by the Ethics Commission within 15 days prior to the primary or general election at which a candidate is running for office. The Ethics Commission shall study issues regarding political telephone solicitations and issue a report containing recommendations to the General Assembly by January 1, 2007.

This act is similar to SS/SCS/SB 1254 (2006).

CHRIS HOGERTY

SPONSOR: Hobbs

CCS/SS/SCS/HCS/HB 1944 - This act modifies the laws relating to eminent domain.

**SECTIONS 99.120 & 99.460**

These sections require the board members of a municipal housing authority to be appointed by one or more elected officials in order to have the right to acquire property through the use of eminent domain. Such authorities must comply with the procedures and requirements of Chapter 523, RSMo.

**SECTION 100.420**

This section requires the board members of a planned industrial expansion authority to be appointed by one or more elected officials in order to have the right to acquire property through the use of eminent domain. Such authorities must comply with the procedures and requirements of Chapter 523, RSMo.

**SECTION 238.247**

This section requires a transportation development district to receive the approval of the local governing body, as well as the Missouri Highways and Transportation Commission or the local transportation authority, prior to condemning land.

**SECTION 353.130**

This section requires an urban redevelopment corporation to be operating pursuant to a redevelopment agreement executed prior to or on August 31, 2006 with a municipality for a particular redevelopment

SPONSOR: Hobbs

area in order to have the right to acquire property through the use of eminent domain.

#### SECTION 523.001

This section defines the term "used" to determine the amount of compensation that a property owner shall receive for condemned property.

The term "fair market value" means the value of the property taken after considering comparable sales in the area, capitalization of income, and replacement cost less depreciation, singularly or in combination, as appropriate, and additionally considering the value of the property based upon its highest and best use, using generally accepted appraisal practices. If less than the entire property is taken, fair market value shall mean the difference between the fair market value of the entire property immediately prior to the taking and the fair market value of the remaining or burdened property immediately after the taking.

The term "heritage value" means the value assigned to any real property, including but not limited to, real property owned by a business enterprise with fewer than 100 employees, that has been owned within the same family for 50 or more years, such value to be 50% of fair market value.

The term "homestead taking" means any taking of a dwelling owned by the property owner and functioning as the owner's primary place of residence or any taking of the owner's property within 300 feet of the owner's primary place of residence that prevents the owner from utilizing the property in substantially the same manner as it is currently being utilized.

#### SECTION 523.039

In all condemnation proceedings filed after December 31, 2006, just compensation shall be determined using one of the three following provisions, whichever yields the highest compensation, as applicable to the particular type of property and taking:

(1) An amount equivalent to the fair market value of the property;

(2) For condemnations that result in a homestead taking, an amount equivalent to the fair market value of the property multiplied by 125%

(3) For condemnations of property that result in any taking that prevents the owner from utilizing property in substantially the same manner as it was currently being utilized on the day of the taking and involving property owned within the same family for 50 or more years, an amount equivalent to the sum of the fair market value and heritage value. Family ownership of property may be established through evidence of ownership by children, grandchildren, siblings, or nephews or nieces of the family member owning the property 50 years prior to the taking; and in addition, may be established through marriage or adoption by such family members.

If any entity owns the real property, members of the family shall have an ownership interest in more than 50% of the entity in order to be within the family line of ownership for the purposes of this subdivision. The property owner shall have the burden of proving to the commissioners or jury that the property has been owned within the same family for 50 or more years.

#### SECTION 523.040

This section requires condemnation commissioners return a report of the assessed damages resulting from condemnation within 45 days of being appointed by the court, unless such time limit is extended for

SPONSOR: Hobbs

good cause. Prior to issuing a report, a commissioner shall notify the parties at least 10 days prior to viewing the property of their opportunity to accompany the commissioners on the viewing and of their opportunity to present information.

In addition, the commissioners shall view the property, hear arguments, and review other relevant information that may be offered by the parties.

#### SECTION 523.055

This section allows the occupants, as well as the owners, of property to make a motion to grant an extension of time before condemned property must be delivered. Otherwise, the owners or those in possession must deliver possession of the property within ten days.

Generally, the property owner or those persons in possession must deliver possession of condemned property within 10 days of receiving notice. Under this section, any displaced owner of a principal place of residence shall have 100 days from the date of the award to deliver possession.

#### SECTION 523.060

Currently, any party that files an exception to an award issued by the condemnation commissioners has the right to a trial by jury. A jury shall use the definition of fair market value when determining the property owner's award.

#### SECTION 523.061

The circuit judge presiding over the condemnation proceeding shall determine the fair market value of the property, whether a homestead taking has occurred, whether heritage value is payable, and shall increase the commissioners' award to provide for the additional compensation when applicable. If a jury trial of exceptions occurs, the circuit judge presiding over the condemnation proceeding shall determine the fair market value of the property, whether a homestead taking has occurred, whether heritage value is payable, and shall increase the jury verdict to provide for the additional compensation when applicable.

#### SECTION 523.200

This section adds public school districts to the definition of "public agency" in the statutes relating to the relocation assistance of persons displaced by eminent domain.

#### SECTION 523.205

Currently, the governing body of an city, or agency thereof, must establish a relocation policy prior to approval of a redevelopment project that may displace people. Under this section, any political subdivision, governmental entity, or urban redevelopment corporation initiating condemnation proceedings that might necessitate displacement of persons must create such a policy.

Under this section, "person" means any individual, family, partnership, corporation, or association, that has a legal right to occupy the property, including but not limited to, month-to-month tenants. The term "business" now includes any lawful activity that is conducted on a not-for-profit basis and exempt from paying federal income taxes and veterans organizations.

Any relocation plan for displaced persons shall include a program for providing proper and timely notice to all displaced persons. There shall be a general information notice informing residential and nonresidential owners and occupants of a potential project. There shall also be a notice of relocation eligibility to be issued as soon as feasible after the execution of the redevelopment agreement. It must

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inform occupants about relocation assistance, including ninety days advance notice of the date they must vacate.

Currently there is a program for referrals of displaced persons that requires at least three safe referrals. Such notice shall be given to handicapped persons at least 90 days prior to the date of displacement and to all other persons at least 60 days prior to displacement. This section requires the notice to be at least 90 days prior to displacement for all persons.

This section requires any displaced residential person to be eligible for payments based upon the following options as chosen by such person:

1) A \$1,000 fixed payment rather than a \$500; or

2) Actual reasonable costs of relocation, which shall not include the cost of replacement property or any capital improvements.

All displaced businesses eligible for relocation payments may choose:

1) A \$3,000 fixed payment for moving expenses and up to \$10,000 for reestablishment expenses, rather than a \$1,500; or

2) Actual reasonable costs of relocation, which shall not include the cost of replacement property or any capital improvements, and up to an additional \$10,000 for reestablishment expenses.

Any waiver of relocation payments shall not include a waiver of any notice provisions.

#### SECTION 523.250

At least 60 days before filing a condemnation petition, the condemning authority shall provide the property owner with written notice of the intended acquisition. The notice shall include: 1) identifying the interest in real property to be acquired and a legal description or commonly known location of the property; 2) the purpose for which the property is to be acquired; 3) statement of property owner's rights. The owner may waive the requirements in writing. The written notice shall be deposited in the U.S. mail, certified or registered, with pre-paid postage. The receipt from the post office shall constitute proof of compliance with the notice requirements.

#### SECTION 523.253

A written offer must be presented to the property owners at least 30 days prior to filing a condemnation petition. It must be held open for 30 days unless an agreement is made sooner. The offer shall be deposited in the U.S. mail, certified or registered, with pre-paid postage. The receipt from the post office shall constitute proof of compliance. Parties may negotiate during the 30-day period.

Any condemning authority shall, at the time of the offer, provide the property owner with an appraisal or an explanation with supporting financial data for its determination of the value of the property. Any appraisal must be made by a state-licensed or state-certified appraiser using generally accepted appraisal practices.

#### SECTION 523.256

Before a court may enter an order of condemnation, the court shall find that the condemning authority

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engaged in good faith negotiations, including proper and timely notice was given to all property owners, an initial offer no lower than the appraisal amount or determination value was given, the landowner was given an opportunity to obtain his or her own appraisal from a state-licensed or state-certified appraiser of his or her choice, and where applicable, it has considered an alternate location.

If the court finds good faith negotiations have not taken place, the court must dismiss the condemnation petition and order the condemning authority to reimburse the owner for his or her actual reasonable attorney fees and costs.

#### SECTION 523.259

If any condemning authority abandons a condemnation, each owner of interests shall be entitled to recover:

(1) Their reasonable attorneys' fees, expert expenses, and costs; and

(2) the lesser of the owner's actual damages accruing from the pendency of condemnation or the damages require to be paid to an owner under the terms of the applicable redevelopment plan or agreement.

If the redevelopment plan is silent regarding damages to the owner in the event of abandonment, a court shall order the condemning authority to pay the owner's actual reasonable attorneys' fees and expenses, and shall award damages as resulting from the pendency of the condemnation if proven by the landowner.

The provisions of this section shall only apply to redevelopment plans or agreements entered into after December 31, 2006.

#### SECTION 523.261

Under this section, any legislative determination of blight shall not be arbitrary or capricious or induced by fraud, collusion, or bad faith and shall be supported by substantial evidence. A condemning authority or the affected property owner may seek a determination as to whether these standards have been met by a court of competent jurisdiction in any condemnation action filed to acquire the owner's property or in an action seeking a declaratory judgment. Upon the filing of such a declaratory judgment or when such a defense is raised in a condemnation proceeding, the circuit court shall give the case preference in the order of hearing to all other cases, except elections cases, in order to conclude the case within thirty days of having been filed. Either party may thereafter file an interlocutory appeal of the circuit court's order upholding or rejecting the legislative body's determination. Any subsequent or interlocutory appeal shall be given preference and concluded in an expedited manner. An interlocutory appeal shall not stay proceedings in the court unless the court of appeals so orders.

#### SECTION 523.262

The power of eminent domain shall only be vested in:

- 1) governmental bodies or agencies whose governing body is elected;
- 2) governing bodies appointed by elected officials;
- 3) urban redevelopment corporations operating pursuant to a redevelopment agreement executed prior

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to or on August 31, 2006 with a municipality for a particular redevelopment area; or

4) private utility companies, public utilities, rural electric cooperatives, municipally owned utilities, pipeline, or railroad or common carriers. Such entities shall provide relocation assistance to displaced persons.

Any entity with the power of eminent domain and pursuing the acquisition of property for the purpose of constructing a power generation facility after December 31, 2006, after providing notice in a newspaper of general circulation in the county where the facility is to be constructed, shall conduct a public meeting disclosing the purpose of the proposed facility prior to making any offer to purchase property in pursuit thereof or, alternatively, shall provide the property owner with notification of the identity of the condemning authority and the proposed purpose for which the condemned property shall be used at the time of making the initial offer.

#### SECTION 523.265

Under this section, a property owner may propose an alternative location on the same parcel of land to condemn within 30 days of receiving written notice of the proceedings and the condemning authority shall consider such location. This provision does not apply to takings of an entire parcel of land. A written statement by the condemning authority to the landowner that has considered all such alternative locations, and briefly stating why they were rejected or accepted, is conclusive evidence that sufficient consideration was given to the alternative locations.

#### SECTION 523.271

This section prohibits acquiring private property through the use of eminent domain for solely economic development purposes. "Economic development" means a use of a specific piece of property which would provide an increase in the tax base, tax revenues, employment, and general economic health, and does not include the elimination of a blighted or conservation area.

#### SECTION 523.274

This section requires a condemning authority to individually consider whether each parcel of property in a defined area is blighted. If the condemning authority finds that a preponderance of the defined redevelopment area is blighted, it may proceed with the condemnation of any parcel in the area.

No action to acquire property by eminent domain within a redevelopment area shall be commenced later than 5 years from the date of the legislative determination that the property is blighted, or is eligible for classification within a conservation area. However, such determination may be renewed for successive five-year periods by the legislative body.

#### SECTION 523.277

An office of Ombudsman shall be established by the Office of Public Counsel in order to provide guidance for citizens about condemnation proceedings and procedures. The ombudsman shall document the use of eminent domain within the state and any issues associated with its use and shall submit a report to the general assembly on January 1, 2008, and each year after.

#### SECTION 523.282

Any blanket easement created after December 31, 2006, shall be void and wholly unenforceable. The term "blanket easement" shall mean an easement in real property acquired by condemnation or negotiations in lieu of the exercise thereof where the instrument or order of condemnation, by its terms,

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allows the easement holder to locate its facilities at an undefined location on, over, under, or across the burdened property.

However, the term "blanket easement" shall not apply to any instrument containing language that explicitly fixes the burden, scope of use, and footprint within the express terms of the instrument and also contains an express statement that upon completion of the initial structure the location of the burden shall be fixed to the degree occupied by the initial structure upon completion of such structure. Nothing in this section shall prohibit the expansion or upgrade of the initially completed structure, provided that the purpose and footprint of the expansion or footprint were explicitly described in the original terms of the instrument.

#### SECTION 523.283

Easements or right-of-way interests acquired after August 28, 2006, by utility, pipeline, or railroad, by either formal condemnation proceedings or by negotiations in lieu of condemnation proceedings, are fixed and determined by the particular use for which the property was acquired as described in either the instrument of conveyance or in the condemnation petition. Expanded use of the property beyond that which is described in the instrument of conveyance or the condemnation petition shall require either an additional condemnation proceeding or new negotiations for the expanded use of the property and appropriate consideration and damages to the current owner of the property for the expanded use.

The term "expanded use" shall mean:

- (1) The exclusion of use by the current owner of the burdened property from an area greater than the area originally described at the time of acquisition by the condemning authority; or
- (2) An increased footprint or burden greater than the footprint or burden originally described in the instrument of conveyance or condemnation petition.

Commissioners or a jury shall be entitled to assume, in assessing the just compensation due for a taking, that the condemning authority shall exercise, from and after the date the property interest is acquired, each and every right acquired to the fullest extent.

If a property owner prevails in an action for trespass or expanded use against a utility, pipeline, or railroad, such property owner may be awarded reasonable attorneys' fees, costs, and expenses.

#### SECTION 1

No condemning authority shall declare farmland blighted for the purposes of exercising eminent domain.

#### SECTION 2

Any financial gain to the property owner arising from a condemnation action will be deducted from the taxpayer's federal adjusted gross income.

#### SECTION 3

A property owner of land burdened by an easement created after December 31, 2006, abandoned in whole for a period in excess of 10 years, may petition a court to obtain the rights previously transferred and vacation of the easement for monetary consideration equal to the original consideration obtained by the property owner in exchange for the easement.



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The holder of the easement shall be a party to such action. The holder of any such easement shall be allowed to maintain the easement upon a showing that the holder, in good faith, plans to make future use of the easement. The right to request that an easement be vacated may be waived by the property owner from whom the easement was originally acquired or by such property owner's successor in title to the burdened property either in the original instrument of conveyance or in a subsequent signed writing.

SUSAN HENDERSON MOORE

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**\*\*\* HCR 12 \*\*\***

SPONSOR: Portwood

HANDLER: Kennedy

HCR 12 - This resolution designates the tenth of May each year as "Hepatitis C Awareness Day" in Missouri.

JIM ERTLE

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**\*\*\* HJR 55 \*\*\***

SPONSOR: Lipke

HANDLER: Crowell

HJR 55 - This proposed constitutional amendment prohibits, upon voter approval, public officials convicted of felonies while serving in office, removed from office for misconduct, or impeached from receiving any state pension beginning January 1, 2007.

The amendment also modifies the General Assembly's veto power over the compensation schedule recommended by the Missouri Citizens' Commission on Compensation for Elected Officials and the requirement that the compensation schedule be subject to appropriations by the General Assembly. A 2/3 majority vote is required to veto such schedule. No compensation schedule approved by the Commission after the amendment's effective date will apply to members of the General Assembly until January 1, 2009.

SUSAN HENDERSON MOORE

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**Administration, Office of**

- SB 612 - Authorizes the conveyance of property owned by the state in St. Francois County to the Farmington American Legion Post 416
- SB 870 - Transfers responsibility for existing appropriation payments from the Office of Administration to other state agencies
- SB 1003 - Authorizes the Governor to convey state property
- SB 1122 - Allows certain state universities to convey or transfer, except in fee simple, the title or interest in real property

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**Administrative Law**

- SB 1146 - Modifies the process for review of an administrative agency's decisions

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**Administrative Rules**

- SB 1146 - Modifies the process for review of an administrative agency's decisions

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**Agriculture and Animals**

- SB 1008 - Creates the Governor's Advisory Council on Agricultural Science and Technology
- HB 1739 - Allows a vermiculture operation, which is a business raising earthworms under a controlled environment, to receive certain agricultural loans

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**Agriculture Dept.**

- SB 1020 - Requires anyone who manufactures, installs, or repairs fuel storage tanks or piping for such tanks to maintain evidence of financial responsibility to cover the costs of corrective action after a fuel release
- HB 1270 - Requires that all gasoline sold as of January 1, 2008, in Missouri be fuel ethanol-blended gasoline
- HB 1739 - Allows a vermiculture operation, which is a business raising earthworms under a controlled environment, to receive certain agricultural loans

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**Alcohol**

- SB 725 - Alters provisions regarding alcoholic beverages

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**Ambulances and Ambulance Districts**

- SB 893 - Modifies provisions relating to taxes for emergency services and fire protection

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**Appropriations**

- SB 870 - Transfers responsibility for existing appropriation payments from the Office of Administration to other state agencies
- HB 1001 - To appropriate money to the Board of Fund Commissioners for the cost of issuing, processing and defeasing and to transfer money among certain funds.
- HB 1002 - To appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions.
- HB 1003 - To appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education.
- HB 1004 - To appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, the several divisions and programs.
- HB 1005 - To appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executi

**Appropriations (cont'd)**

- HB 1006 - To appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions.
- HB 1007 - To appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations.
- HB 1008 - To appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs.
- HB 1009 - To appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs.
- HB 1010 - To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services.
- HB 1011 - To appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs.
- HB 1012 - To appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, etc.
- HB 1013 - To appropriate money for real property leases, related services, utilities, systems furniture, and structural modifications for the several departments of state government.
- HB 1014 - To appropriate money for supplemental purposes for the several department and offices of state government, and for the payment of various claims for refunds.
- HB 1015 - To appropriate money for supplemental purposes for the Department of Social Services, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2006.
- HB 1021 - Relating to appropriations for certain state agencies.
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**Attorneys**

- HB 1858 - Authorizes prosecuting and circuit attorneys to dismiss a complaint, information, or indictment without the consent of the court
- 

**Banks and Financial Institutions**

- SB 641 - Requires all contributions to the Missouri Higher Education Savings Program be held for twelve months
- SB 892 - Modifies law relating to financial institutions
- 

**Boards, Commissions, Committees, Councils**

- SB 559 - Considers any municipality, governmental unit, or public corporation created under the laws of any state or the United States a person
- SB 650 - Specifies terms of office and eligibility criteria for the governing board of Missouri State University
- SB 677 - Removes references to the Committee on Radiation Control from Chapter 192, RSMo
- SB 718 - Modifies the authority of the Development Finance Board to grant loans
- SB 749 - Modifies minimum experience requirements for interior designer registration
- SB 756 - Modifies requirements for licensing and registration of certain professionals
- SB 900 - Modifies provisions on the Missouri Commission for the Deaf and Hard of Hearing Fund
- SB 1002 - Allows the imposition of an additional fee for drainage districts

**Boards, Commissions, Committees, Councils (cont'd)**

- SB 1008 - Creates the Governor's Advisory Council on Agricultural Science and Technology
  - SB 1016 - Requires county commissions to set tax rates by September 20th
  - SB 1017 - Makes the State Milk Board the official rating agency for the enforcement of standards relating to milk production
  - SB 1026 - Authorizes the Lieutenant Governor to administer certain veterans' programs and funds
  - SB 1146 - Modifies the process for review of an administrative agency's decisions
  - SB 1155 - Modifies provisions on the technical advisory committee on the quality of patient care and nursing practices
  - SB 1189 - Creates the "Holocaust Education and Awareness Commission"
  - HB 1515 - Requires physicians to report to provide information regarding collaborative practice arrangements
  - HB 1759 - Modifies requirements for licensure of athletic trainers
- 

**Boats and Watercraft**

- SB 778 - Requires proof of payment of personal property taxes on certain vessels, raises vessel fees and creates the "Missouri State Water Patrol Fund"
- 

**Bonds - General Obligation and Revenue**

- SB 645 - Modifies the Missouri Business Use Incentive for Large-Scale Development Act
  - SB 718 - Modifies the authority of the Development Finance Board to grant loans
  - SB 936 - Allows county library boards to issue bonds for up to 5% of the value of property within the district instead of 1%
  - HB 1149 - Pertains to the regulation of water
- 

**Business and Commerce**

- SB 645 - Modifies the Missouri Business Use Incentive for Large-Scale Development Act
  - SB 749 - Modifies minimum experience requirements for interior designer registration
  - SB 845 - Modifies fees and reinstatement processes in the event of corporate administrative dissolution
  - SB 934 - Creates a grace period for barber shop licensure when the establishment changes ownership or location
  - SB 1216 - Modifies the law relating to travel clubs
  - HB 1559 - Modifies provisions on donation of food
  - HB 1715 - Modifies the law regarding the internal operations of corporations
  - HB 1827 - Modifies law with respect to how group health insurance policies are issued and administered for certain types of associations
- 

**Campaign Finance**

- HB 1900 - Modifies law relating to campaign finance and lobbyist reporting requirements
- 

**Capital Improvements**

- SB 561 - Limits the amount of revenue expenditures from gaming boat admission fees
- 

**Cemeteries**

- SB 578 - Prohibits protest activities during funeral services
  - HB 1026 - Prohibits protest activities during funeral services
- 

**Charities**

- HB 1552 - Allows homeless veterans to use addresses of certain charitable organizations on applications for state or federal assistance

**Charities (cont'd)**

- HB 1559 - Modifies provisions on donation of food
- HB 1687 - Provides for unused drugs to be donated to charities for distribution outside the state or abroad
- 

**Children and Minors**

- SB 618 - Provides that electronic access cards may be issued to custodial parents for disbursement of child support payments
- SB 834 - Alters various provisions of the state's special education policy
- SB 894 - Renders multiple alterations to the state's education policy
- SB 912 - Establishes a virtual school program
- SB 1084 - Extends the sunset date for Childrens Health Insurance Program and non-Medicaid eligible personal care services
- SB 1197 - Allows sixteen-year olds to donate blood with parental permission
- SB 1229 - Creates a tax credit for children in crisis
- HB 1053 - Allows victims of certain offenses against the family access to official court records in certain circumstances
- HB 1180 - Exempts from certain administrative penalties school districts that demonstrate their students have to cross highways and arterials under specified conditions
- HB 1182 - Allows persons with custodial rights to petition the juvenile court to extend jurisdiction over a child until he or she reaches age 18
- HB 1245 - Authorizes school nurses to keep on hand and administer prefilled syringes of epinephrine to any student who is having an anaphylactic reaction
- HB 1511 - Requires the Department of Elementary and Secondary Education to develop standards for high-quality early childhood education
- HB 1732 - Broadens and alters the criteria for permissible self-administered medications in public schools
- 

**Cities, Towns and Villages**

- SB 561 - Limits the amount of revenue expenditures from gaming boat admission fees
- SB 645 - Modifies the Missouri Business Use Incentive for Large-Scale Development Act
- SB 751 - Allows the City of Corder to sell property purchased from the school district for any purpose after 25 years
- SB 809 - Provides municipalities the option of adopting the zoning regulations of the county in lieu of their own
- SB 863 - Modifies the definition of "volunteer fire protection association"
- SB 919 - Repeals the statute permitting the city council of a third-class city to prohibit the carrying of concealed weapons
- SB 1056 - Modifies the method of how community improvement districts may impose sales taxes
- SB 1094 - Allows Springfield to dissolve a special business district
- SB 1177 - Allows a local registrar to be an employee of either a county or city health agency
- SB 1207 - Allows New Madrid County to impose an additional sales tax, which proceeds shall be shared among the county and the cities, towns and villages within the county
- HB 977 - Allows fourth-class cities to establish by ordinance a citywide vote for the election of aldermen
- HB 1707 - Allows local registrars to be an employee of either a county or city health agency and gives the Jackson County Recorder of Deeds more discretion regarding where documents are recorded
-

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**Civil Procedure**

- SB 1045 - Provides that the statute of limitations for recovery of lands does not extend to lands held by public utilities
- HB 1343 - Repeals provisions of law that required the City of Canton to provide resources and space for a circuit court in Lewis County
- 

**Civil Rights**

- SB 578 - Prohibits protest activities during funeral services
- HB 1026 - Prohibits protest activities during funeral services
- 

**Compacts**

- SB 825 - Creates the "Kansas and Missouri Regional Investment District Compact" to promote public transit projects within the Kansas City metropolitan area
- 

**Constitutional Amendments**

- SJR 26 - Exempts property owned by veterans' organizations from taxation
- HJR 55 - Proposes a constitutional amendment prohibiting public officials convicted of a felony or removed for misconduct from receiving any state pension and modifies the veto power of the General Assembly over salary recommendations
- 

**Consumer Protection**

- SB 892 - Modifies law relating to financial institutions
- 

**Contracts and Contractors**

- SB 1197 - Allows sixteen-year olds to donate blood with parental permission
- 

**Corporations**

- SB 845 - Modifies fees and reinstatement processes in the event of corporate administrative dissolution
- SB 1208 - Modifies law allowing corporations to amend their articles of incorporation
- HB 1427 - Modifies fees and reinstatement processes in the event of corporate administrative dissolution
- HB 1715 - Modifies the law regarding the internal operations of corporations
- 

**Corrections Dept.**

- SB 870 - Transfers responsibility for existing appropriation payments from the Office of Administration to other state agencies
- 

**Cosmetology**

- SB 934 - Creates a grace period for barber shop licensure when the establishment changes ownership or location
- 

**Counties**

- SB 936 - Allows county library boards to issue bonds for up to 5% of the value of property within the district instead of 1%
- SB 1207 - Allows New Madrid County to impose an additional sales tax, which proceeds shall be shared among the county and the cities, towns and villages within the county
- HB 1222 - Allows coroners or medical examiners to appoint special deputy coroners or medical examiners in emergencies
- HB 1688 - Prohibits certain sales tax revenue from inclusion as economic activity tax revenue for TIF projects

**Counties (cont'd)**

- HB 1703 - Provides that political subdivisions forming a business entity for the purpose of providing liability insurance are not to be considered an insurance company
- 

**County Government**

- SB 809 - Provides municipalities the option of adopting the zoning regulations of the county in lieu of their own
- SB 825 - Creates the "Kansas and Missouri Regional Investment District Compact" to promote public transit projects within the Kansas City metropolitan area
- SB 1177 - Allows a local registrar to be an employee of either a county or city health agency
- HB 1707 - Allows local registrars to be an employee of either a county or city health agency and gives the Jackson County Recorder of Deeds more discretion regarding where documents are recorded
- 

**County Officials**

- SB 932 - Modifies laws relating to county officials
- HB 1222 - Allows coroners or medical examiners to appoint special deputy coroners or medical examiners in emergencies
- HB 1707 - Allows local registrars to be an employee of either a county or city health agency and gives the Jackson County Recorder of Deeds more discretion regarding where documents are recorded
- 

**Courts**

- SB 1045 - Provides that the statute of limitations for recovery of lands does not extend to lands held by public utilities
- HB 1053 - Allows victims of certain offenses against the family access to official court records in certain circumstances
- HB 1182 - Allows persons with custodial rights to petition the juvenile court to extend jurisdiction over a child until he or she reaches age 18
- HB 1343 - Repeals provisions of law that required the City of Canton to provide resources and space for a circuit court in Lewis County
- HB 1857 - Specifies when a prosecution is commenced for a misdemeanor and a felony
- 

**Courts, Juvenile**

- HB 1182 - Allows persons with custodial rights to petition the juvenile court to extend jurisdiction over a child until he or she reaches age 18
- 

**Credit and Bankruptcy**

- SB 892 - Modifies law relating to financial institutions
- 

**Crimes and Punishment**

- SB 578 - Prohibits protest activities during funeral services
- SB 872 - Enacts various provisions relating to the safe operation of motor vehicles to ensure the safety of highway workers, emergency workers and other motorists
- SB 1023 - Modifies the laws relating to DNA Profiling Analysis and resulting restitution
- HB 1026 - Prohibits protest activities during funeral services
- HB 1053 - Allows victims of certain offenses against the family access to official court records in certain circumstances
- HB 1698 - Modifies laws relating to sexual offenders
- HB 1857 - Specifies when a prosecution is commenced for a misdemeanor and a felony
- HB 1858 - Authorizes prosecuting and circuit attorneys to dismiss a complaint, information, or indictment without the consent of the court

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**Criminal Procedure**

- SB 785 - Allows any jailer to serve an arrest warrant on a person who is already an inmate in the custody of the jailer
- SB 1023 - Modifies the laws relating to DNA Profiling Analysis and resulting restitution
- HB 1053 - Allows victims of certain offenses against the family access to official court records in certain circumstances
- HB 1204 - Allows any jailer to serve an arrest warrant on a person who is already an inmate in the custody of the jailer
- HB 1698 - Modifies laws relating to sexual offenders
- HB 1857 - Specifies when a prosecution is commenced for a misdemeanor and a felony
- HB 1858 - Authorizes prosecuting and circuit attorneys to dismiss a complaint, information, or indictment without the consent of the court
- 

**Dentists**

- SB 828 - Repeals the sunset provision for dental hygienists
- 

**Disabilities**

- SB 834 - Alters various provisions of the state's special education policy
- SB 900 - Modifies provisions on the Missouri Commission for the Deaf and Hard of Hearing Fund
- HB 1511 - Requires the Department of Elementary and Secondary Education to develop standards for high-quality early childhood education
- HB 1762 - Exempts persons who present proof of permanent disability from the United States Veterans Administration from the four-year certification requirement for renewal of disabled license plates and allows advanced practice registered nurses to issue statements to obtain disabled
- 

**Drainage and Levee Districts**

- SB 1002 - Allows the imposition of an additional fee for drainage districts
- 

**Drugs and Controlled Substances**

- HB 1245 - Authorizes school nurses to keep on hand and administer prefilled syringes of epinephrine to any student who is having an anaphylactic reaction
- HB 1687 - Provides for unused drugs to be donated to charities for distribution outside the state or abroad
- HB 1732 - Broadens and alters the criteria for permissible self-administered medications in public schools
- 

**Easements and Conveyances**

- SB 612 - Authorizes the conveyance of property owned by the state in St. Francois County to the Farmington American Legion Post 416
- SB 881 - Authorizes the Governor to convey state property to St. Francois County
- SB 1003 - Authorizes the Governor to convey state property
- SB 1122 - Allows certain state universities to convey or transfer, except in fee simple, the title or interest in real property
- HB 1944 - Modifies the laws relating to eminent domain
- 

**Economic Development**

- SB 645 - Modifies the Missouri Business Use Incentive for Large-Scale Development Act
- SB 1094 - Allows Springfield to dissolve a special business district



**Economic Development (cont'd)**

- HB 1688 - Prohibits certain sales tax revenue from inclusion as economic activity tax revenue for TIF projects

**Economic Development Dept.**

- SB 580 - Requires collaboration between certain departments in order to achieve a more efficient and effective educational system
- HB 1234 - Revises the nursing student repayment loan program
- HB 1339 - Modifies licensing requirements for real estate brokers
- HB 1494 - Modifies licensure requirements for professional engineers and land surveyors
- HB 1515 - Requires physicians to report to provide information regarding collaborative practice arrangements
- HB 1759 - Modifies requirements for licensure of athletic trainers

**Education, Elementary and Secondary**

- SB 580 - Requires collaboration between certain departments in order to achieve a more efficient and effective educational system
- SB 751 - Allows the City of Corder to sell property purchased from the school district for any purpose after 25 years
- SB 769 - Permits school districts meeting certain criteria to make a one-time additional fund transfers and to reduce their school terms
- SB 834 - Alters various provisions of the state's special education policy
- SB 894 - Renders multiple alterations to the state's education policy
- SB 912 - Establishes a virtual school program
- HB 1180 - Exempts from certain administrative penalties school districts that demonstrate their students have to cross highways and arterials under specified conditions
- HB 1182 - Allows persons with custodial rights to petition the juvenile court to extend jurisdiction over a child until he or she reaches age 18
- HB 1245 - Authorizes school nurses to keep on hand and administer prefilled syringes of epinephrine to any student who is having an anaphylactic reaction
- HB 1449 - A substitute or part-time teacher employed within one year of the teacher's retirement shall not be subject to an additional background check
- HB 1511 - Requires the Department of Elementary and Secondary Education to develop standards for high-quality early childhood education
- HB 1732 - Broadens and alters the criteria for permissible self-administered medications in public schools

**Education, Higher**

- SB 580 - Requires collaboration between certain departments in order to achieve a more efficient and effective educational system
- SB 650 - Specifies terms of office and eligibility criteria for the governing board of Missouri State University
- SB 701 - Modifies educational assistance benefits for Missouri National Guard members
- SB 725 - Alters provisions regarding alcoholic beverages

**Elderly**

- SB 616 - Prescribes requirements for assisted living facilities
- SB 630 - Modifies eligibility requirements for the Homestead Preservation Tax Credit
- SB 1117 - Modifies provisions of the Missouri Rx Plan Advisory Commission

**Elections**

- SB 932 - Modifies laws relating to county officials

**Elections (cont'd)**

- SB 1014 - Modifies law relating to election administration  
HB 977 - Allows fourth-class cities to establish by ordinance a citywide vote for the election of aldermen
- 

**Elementary and Secondary Education Dept.**

- SB 580 - Requires collaboration between certain departments in order to achieve a more efficient and effective educational system  
SB 894 - Renders multiple alterations to the state's education policy  
SB 912 - Establishes a virtual school program  
SB 1189 - Creates the "Holocaust Education and Awareness Commission"  
HB 1180 - Exempts from certain administrative penalties school districts that demonstrate their students have to cross highways and arterials under specified conditions  
HB 1245 - Authorizes school nurses to keep on hand and administer prefilled syringes of epinephrine to any student who is having an anaphylactic reaction  
HB 1511 - Requires the Department of Elementary and Secondary Education to develop standards for high-quality early childhood education
- 

**Emergencies**

- SB 872 - Enacts various provisions relating to the safe operation of motor vehicles to ensure the safety of highway workers, emergency workers and other motorists
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**Eminent Domain and Condemnation**

- HB 1944 - Modifies the laws relating to eminent domain
- 

**Employees - Employers**

- SB 981 - Allows a Highway Patrol member to accept other employment under a general order issued by the Superintendent  
HB 1393 - Allows the Superintendent of the State Highway Patrol to set the circumstances under which members of the patrol may be engaged in secondary employment  
HB 1456 - Modifies law regarding unemployment security  
HB 1827 - Modifies law with respect to how group health insurance policies are issued and administered for certain types of associations
- 

**Employment Security**

- HB 1456 - Modifies law regarding unemployment security
- 

**Engineers**

- SB 819 - Modifies licensure requirements for professional engineers and land surveyors  
HB 1494 - Modifies licensure requirements for professional engineers and land surveyors
- 

**Entertainment, Sports and Amusements**

- HB 1617 - Adds to the circumstances where a landowner does not assume liability for injuries caused on his or her land  
HB 1759 - Modifies requirements for licensure of athletic trainers
- 

**Environmental Protection**

- SB 583 - Establishes a decentralized emission inspection program which utilizes on-board diagnostic testing on certain motor vehicles  
SB 1020 - Requires anyone who manufactures, installs, or repairs fuel storage tanks or piping for such tanks to maintain evidence of financial responsibility to cover the costs of corrective action after a fuel release

**Environmental Protection (cont'd)**

SB 1165 - Extends the fees imposed under the water pollution statutes until December 31, 2009

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**Family Law**

HB 1182 - Allows persons with custodial rights to petition the juvenile court to extend jurisdiction over a child until he or she reaches age 18

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**Family Services Division**

SB 618 - Provides that electronic access cards may be issued to custodial parents for disbursement of child support payments

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**Fees**

SB 756 - Modifies requirements for licensing and registration of certain professionals  
SB 778 - Requires proof of payment of personal property taxes on certain vessels, raises vessel fees and creates the "Missouri State Water Patrol Fund"  
SB 845 - Modifies fees and reinstatement processes in the event of corporate administrative dissolution  
SB 1002 - Allows the imposition of an additional fee for drainage districts  
SB 1165 - Extends the fees imposed under the water pollution statutes until December 31, 2009  
HB 1380 - Creates the "Missouri Public-Private Partnerships Transportation Act"

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**Fire Protection**

SB 648 - Replaces the term "lunatic asylum" with "mental health facility" in statute about fire escapes and stairs  
SB 863 - Modifies the definition of "volunteer fire protection association"  
SB 893 - Modifies provisions relating to taxes for emergency services and fire protection  
HB 1344 - Modifies provisions regarding the Firemen's Retirement System of St. Louis  
HB 1509 - Modifies the duties of the State Fire Marshal

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**Firearms and Fireworks**

SB 919 - Repeals the statute permitting the city council of a third-class city to prohibit the carrying of concealed weapons

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**Funerals and Funeral Directors**

SB 578 - Prohibits protest activities during funeral services  
HB 1026 - Prohibits protest activities during funeral services

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**Gambling**

SB 561 - Limits the amount of revenue expenditures from gaming boat admission fees

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**General Assembly**

SB 718 - Modifies the authority of the Development Finance Board to grant loans  
HCR 12 - Designates the tenth of May each year as "Hepatitis C Awareness Day" in Missouri.

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**Governor & Lt. Governor**

SB 612 - Authorizes the conveyance of property owned by the state in St. Francois County to the Farmington American Legion Post 416  
SB 881 - Authorizes the Governor to convey state property to St. Francois County  
SB 1003 - Authorizes the Governor to convey state property

**Governor & Lt. Governor (cont'd)**

- SB 1026 - Authorizes the Lieutenant Governor to administer certain veterans' programs and funds
- SB 1117 - Modifies provisions of the Missouri Rx Plan Advisory Commission
- 

**Health Care**

- SB 567 - Modifies provisions relating to health insurance
- SB 765 - Enacts provisions relating to emergency medical treatment
- SB 822 - Extends FRA, Pharmacy Tax, Nursing Facility reimbursement allowance, and Medicaid managed care reimbursement allowance sunsets
- SB 980 - Modifies the student loan program for nursing students
- SB 1057 - Includes physical therapists in the definition of health practitioner for the purposes of liens
- SB 1117 - Modifies provisions of the Missouri Rx Plan Advisory Commission
- SB 1155 - Modifies provisions on the technical advisory committee on the quality of patient care and nursing practices
- HB 1485 - Creates a tax credit for contributions to centers providing social services
- HB 1601 - Enacts provisions relating to emergency medical treatment
- HB 1827 - Modifies law with respect to how group health insurance policies are issued and administered for certain types of associations
- HCR 12 - Designates the tenth of May each year as "Hepatitis C Awareness Day" in Missouri.
- 

**Health Care Professionals**

- SB 765 - Enacts provisions relating to emergency medical treatment
- SB 980 - Modifies the student loan program for nursing students
- SB 1057 - Includes physical therapists in the definition of health practitioner for the purposes of liens
- HB 1601 - Enacts provisions relating to emergency medical treatment
- HB 1687 - Provides for unused drugs to be donated to charities for distribution outside the state or abroad
- HB 1762 - Exempts persons who present proof of permanent disability from the United States Veterans Administration from the four-year certification requirement for renewal of disabled license plates and allows advanced practice registered nurses to issue statements to obtain disabled
- HB 1837 - Modifies various provisions relating to malpractice insurance
- 

**Health Dept.**

- SB 616 - Prescribes requirements for assisted living facilities
- SB 677 - Removes references to the Committee on Radiation Control from Chapter 192, RSMo
- SB 1155 - Modifies provisions on the technical advisory committee on the quality of patient care and nursing practices
- HB 1437 - Modifies poison and radiation control provisions
- HB 1559 - Modifies provisions on donation of food
- 

**Health, Public**

- SB 1117 - Modifies provisions of the Missouri Rx Plan Advisory Commission
- SB 1155 - Modifies provisions on the technical advisory committee on the quality of patient care and nursing practices
- SB 1177 - Allows a local registrar to be an employee of either a county or city health agency

**Health, Public (cont'd)**

- SB 1197 - Allows sixteen-year olds to donate blood with parental permission
- HB 1437 - Modifies poison and radiation control provisions
- HB 1440 - Creates an income tax checkoff for donations for cervical cancer awareness and treatment
- HB 1559 - Modifies provisions on donation of food
- HB 1707 - Allows local registrars to be an employee of either a county or city health agency and gives the Jackson County Recorder of Deeds more discretion regarding where documents are recorded
- HCR 12 - Designates the tenth of May each year as "Hepatitis C Awareness Day" in Missouri.
- 

**Higher Education Dept.**

- SB 580 - Requires collaboration between certain departments in order to achieve a more efficient and effective educational system
- SB 641 - Requires all contributions to the Missouri Higher Education Savings Program be held for twelve months
- SB 1122 - Allows certain state universities to convey or transfer, except in fee simple, the title or interest in real property
- 

**Highway Patrol**

- SB 583 - Establishes a decentralized emission inspection program which utilizes on-board diagnostic testing on certain motor vehicles
- SB 667 - Designates several portions of highways within Missouri after Missouri highway patrolmen
- SB 933 - Transfers the duty of appointing railroad policemen from the Highway Patrol to the Director of the Department of Public Safety
- SB 981 - Allows a Highway Patrol member to accept other employment under a general order issued by the Superintendent
- HB 1393 - Allows the Superintendent of the State Highway Patrol to set the circumstances under which members of the patrol may be engaged in secondary employment
- 

**Holidays**

- HB 1256 - Designates February 4th as the annual "Rosa Parks Day"
- 

**Insurance - General**

- SB 837 - Modifies the membership of various governing bodies that administer state insurance programs
- HB 1703 - Provides that political subdivisions forming a business entity for the purpose of providing liability insurance are not to be considered an insurance company
- HB 1837 - Modifies various provisions relating to malpractice insurance
- 

**Insurance - Medical**

- SB 567 - Modifies provisions relating to health insurance
- HB 1703 - Provides that political subdivisions forming a business entity for the purpose of providing liability insurance are not to be considered an insurance company
- HB 1827 - Modifies law with respect to how group health insurance policies are issued and administered for certain types of associations
- 

**Insurance Dept.**

- SB 837 - Modifies the membership of various governing bodies that administer state insurance programs

**Insurance Dept. (cont'd)**

- HB 1827 - Modifies law with respect to how group health insurance policies are issued and administered for certain types of associations
- HB 1837 - Modifies various provisions relating to malpractice insurance
- 

**Jackson County**

- HB 1688 - Prohibits certain sales tax revenue from inclusion as economic activity tax revenue for TIF projects
- HB 1707 - Allows local registrars to be an employee of either a county or city health agency and gives the Jackson County Recorder of Deeds more discretion regarding where documents are recorded
- 

**Kansas City**

- SB 825 - Creates the "Kansas and Missouri Regional Investment District Compact" to promote public transit projects within the Kansas City metropolitan area
- 

**Law Enforcement Officers and Agencies**

- SB 785 - Allows any jailer to serve an arrest warrant on a person who is already an inmate in the custody of the jailer
- SB 830 - Changes provisions regarding military leave for Kansas City police officers and civilian employees
- SB 871 - Modifies provisions regarding distribution payments in the St. Louis Police Retirement System
- SB 872 - Enacts various provisions relating to the safe operation of motor vehicles to ensure the safety of highway workers, emergency workers and other motorists
- SB 1059 - Designates a portion of I-55 in St. Louis County as the "Officer Thomas G. Smith Jr. Memorial Highway"
- SB 1086 - Grants the St. Louis Board of Police Commissioners the authority to establish police officer salaries without prior authorization from the General Assembly
- SB 1139 - Designates the portion of Highway 21 from the intersection of Lindbergh Avenue to the intersection of Gravois Road in St. Louis County as the "Sergeant William McEntee Memorial Highway"
- HB 1138 - Changes provisions regarding military leave for Kansas City police officers and civilian employees
- HB 1204 - Allows any jailer to serve an arrest warrant on a person who is already an inmate in the custody of the jailer
- HB 1393 - Allows the Superintendent of the State Highway Patrol to set the circumstances under which members of the patrol may be engaged in secondary employment
- HB 1698 - Modifies laws relating to sexual offenders
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**Liability**

- HB 1617 - Adds to the circumstances where a landowner does not assume liability for injuries caused on his or her land
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**Libraries and Archives**

- SB 936 - Allows county library boards to issue bonds for up to 5% of the value of property within the district instead of 1%
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**Licenses - Driver's**

- SB 1001 - Modifies lawful presence requirements for drivers' license, modifies graduated driver's license law and allows the Highway Commission to revoke licenses and registrations of motor carriers in certain circumstances

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**Licenses - Motor Vehicle**

- SB 583 - Establishes a decentralized emission inspection program which utilizes on-board diagnostic testing on certain motor vehicles
- SB 1001 - Modifies lawful presence requirements for drivers' license, modifies graduated driver's license law and allows the Highway Commission to revoke licenses and registrations of motor carriers in certain circumstances
- HB 1382 - Modifies various provisions relating to specialized military license plates
- HB 1762 - Exempts persons who present proof of permanent disability from the United States Veterans Administration from the four-year certification requirement for renewal of disabled license plates and allows advanced practice registered nurses to issue statements to obtain disabled
- 

**Licenses - Professional**

- SB 747 - Requires used car dealers to complete educational seminars in order to obtain a license
- SB 749 - Modifies minimum experience requirements for interior designer registration
- SB 756 - Modifies requirements for licensing and registration of certain professionals
- SB 819 - Modifies licensure requirements for professional engineers and land surveyors
- SB 828 - Repeals the sunset provision for dental hygienists
- SB 934 - Creates a grace period for barber shop licensure when the establishment changes ownership or location
- SB 980 - Modifies the student loan program for nursing students
- HB 1234 - Revises the nursing student repayment loan program
- HB 1339 - Modifies licensing requirements for real estate brokers
- HB 1494 - Modifies licensure requirements for professional engineers and land surveyors
- HB 1515 - Requires physicians to report to provide information regarding collaborative practice arrangements
- HB 1759 - Modifies requirements for licensure of athletic trainers
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**Liens**

- SB 1057 - Includes physical therapists in the definition of health practitioner for the purposes of liens
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**Lobbying**

- HB 1900 - Modifies law relating to campaign finance and lobbyist reporting requirements
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**Medicaid**

- SB 822 - Extends FRA, Pharmacy Tax, Nursing Facility reimbursement allowance, and Medicaid managed care reimbursement allowance sunsets
- SB 1084 - Extends the sunset date for Childrens Health Insurance Program and non-Medicaid eligible personal care services
- HB 1491 - Requires the Family Support Division to urge Medicaid applicants to use federal veterans' benefits
- 

**Medical Procedures and Personnel**

- SB 765 - Enacts provisions relating to emergency medical treatment
- HB 1222 - Allows coroners or medical examiners to appoint special deputy coroners or medical examiners in emergencies
- HB 1601 - Enacts provisions relating to emergency medical treatment
-

**Mental Health**

- SB 648 - Replaces the term "lunatic asylum" with "mental health facility" in statute about fire escapes and stairs
- SB 974 - Extends date for the Department of Mental Health to complete mental health services plans for persons on waitlists

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**Mental Health Dept.**

- SB 974 - Extends date for the Department of Mental Health to complete mental health services plans for persons on waitlists

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**Military Affairs**

- SB 578 - Prohibits protest activities during funeral services
- SB 701 - Modifies educational assistance benefits for Missouri National Guard members
- SB 830 - Changes provisions regarding military leave for Kansas City police officers and civilian employees
- SB 845 - Modifies fees and reinstatement processes in the event of corporate administrative dissolution
- SB 964 - Modifies provisions regarding the appointment and duties of assistant adjutants general
- SB 1060 - Modifies provisions regarding the tax contribution designation for the Missouri Military Family Relief Fund
- HB 978 - Establishes the "Vietnam War Medallion Program" and the "Vietnam War Veteran's Recognition Award Fund"
- HB 983 - Requires the United States and the Missouri state flags to be flown at half-staff on all government buildings on September 11 of each year
- HB 984 - Encourages all government buildings, businesses, and state citizens to display the POW/MIA flag on certain dates
- HB 1026 - Prohibits protest activities during funeral services
- HB 1138 - Changes provisions regarding military leave for Kansas City police officers and civilian employees
- HB 1382 - Modifies various provisions relating to specialized military license plates
- HB 1552 - Allows homeless veterans to use addresses of certain charitable organizations on applications for state or federal assistance
- HB 1787 - Creates the "Guard at Home" program to assist families of deployed guard members

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**Mortgages and Deeds**

- SB 892 - Modifies law relating to financial institutions

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**Motor Carriers**

- SB 1001 - Modifies lawful presence requirements for drivers' license, modifies graduated driver's license law and allows the Highway Commission to revoke licenses and registrations of motor carriers in certain circumstances

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**Motor Vehicles**

- SB 583 - Establishes a decentralized emission inspection program which utilizes on-board diagnostic testing on certain motor vehicles
- SB 747 - Requires used car dealers to complete educational seminars in order to obtain a license
- SB 872 - Enacts various provisions relating to the safe operation of motor vehicles to ensure the safety of highway workers, emergency workers and other motorists



**Motor Vehicles (cont'd)**

- HB 1762 - Exempts persons who present proof of permanent disability from the United States Veterans Administration from the four-year certification requirement for renewal of disabled license plates and allows advanced practice registered nurses to issue statements to obtain disabled

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**National Guard**

- SB 701 - Modifies educational assistance benefits for Missouri National Guard members  
SB 964 - Modifies provisions regarding the appointment and duties of assistant adjutants general  
HB 1787 - Creates the "Guard at Home" program to assist families of deployed guard members

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**Natural Resources Dept.**

- SB 583 - Establishes a decentralized emission inspection program which utilizes on-board diagnostic testing on certain motor vehicles  
SB 1165 - Extends the fees imposed under the water pollution statutes until December 31, 2009

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**Nurses**

- SB 980 - Modifies the student loan program for nursing students  
HB 1234 - Revises the nursing student repayment loan program  
HB 1245 - Authorizes school nurses to keep on hand and administer prefilled syringes of epinephrine to any student who is having an anaphylactic reaction  
HB 1515 - Requires physicians to report to provide information regarding collaborative practice arrangements

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**Nursing and Boarding Homes**

- SB 616 - Prescribes requirements for assisted living facilities

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**Pharmacy**

- SB 822 - Extends FRA, Pharmacy Tax, Nursing Facility reimbursement allowance, and Medicaid managed care reimbursement allowance sunsets  
HB 1687 - Provides for unused drugs to be donated to charities for distribution outside the state or abroad

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**Physicians**

- SB 765 - Enacts provisions relating to emergency medical treatment  
HB 1515 - Requires physicians to report to provide information regarding collaborative practice arrangements  
HB 1601 - Enacts provisions relating to emergency medical treatment

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**Political Subdivisions**

- SB 561 - Limits the amount of revenue expenditures from gaming boat admission fees  
SB 1056 - Modifies the method of how community improvement districts may impose sales taxes

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**Prisons and Jails**

- SB 785 - Allows any jailer to serve an arrest warrant on a person who is already an inmate in the custody of the jailer  
HB 1204 - Allows any jailer to serve an arrest warrant on a person who is already an inmate in the custody of the jailer
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**Property, Real and Personal**

- SB 1045 - Provides that the statute of limitations for recovery of lands does not extend to lands held by public utilities
- HB 1339 - Modifies licensing requirements for real estate brokers
- HB 1617 - Adds to the circumstances where a landowner does not assume liability for injuries caused on his or her land
- 

**Public Assistance**

- HB 1491 - Requires the Family Support Division to urge Medicaid applicants to use federal veterans' benefits
- HB 1552 - Allows homeless veterans to use addresses of certain charitable organizations on applications for state or federal assistance
- 

**Public Buildings**

- HB 983 - Requires the United States and the Missouri state flags to be flown at half-staff on all government buildings on September 11 of each year
- HB 984 - Encourages all government buildings, businesses, and state citizens to display the POW/MIA flag on certain dates
- 

**Public Officers**

- SB 964 - Modifies provisions regarding the appointment and duties of assistant adjutants general
- HJR 55 - Proposes a constitutional amendment prohibiting public officials convicted of a felony or removed for misconduct from receiving any state pension and modifies the veto power of the General Assembly over salary recommendations
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**Public Safety Dept.**

- SB 933 - Transfers the duty of appointing railroad policemen from the Highway Patrol to the Director of the Department of Public Safety
- HB 1509 - Modifies the duties of the State Fire Marshal
- HB 1787 - Creates the "Guard at Home" program to assist families of deployed guard members
- 

**Public Service Commission**

- SB 558 - Removes the termination date for experimental tariffs put in place by the Public Service Commission and gas corporations for schools
- SB 1066 - Provides certain telecommunication companies the opportunity to request a waiver from the requirement that tariffs be filed to reduce rates for any service in which the current rate exceeds the maximum allowable price
- 

**Railroads**

- SB 933 - Transfers the duty of appointing railroad policemen from the Highway Patrol to the Director of the Department of Public Safety
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**Retirement - Schools**

- HB 1449 - A substitute or part-time teacher employed within one year of the teacher's retirement shall not be subject to an additional background check
- 

**Retirement Systems and Benefits - General**

- SB 830 - Changes provisions regarding military leave for Kansas City police officers and civilian employees

**Retirement Systems and Benefits - General (cont'd)**

- SB 871 - Modifies provisions regarding distribution payments in the St. Louis Police Retirement System
- HB 1138 - Changes provisions regarding military leave for Kansas City police officers and civilian employees
- HB 1344 - Modifies provisions regarding the Firemen's Retirement System of St. Louis

**Revenue Dept.**

- SB 583 - Establishes a decentralized emission inspection program which utilizes on-board diagnostic testing on certain motor vehicles
- SB 630 - Modifies eligibility requirements for the Homestead Preservation Tax Credit
- SB 678 - Repeals the quarterly tax collections report requirement for temporary tax collection
- SB 747 - Requires used car dealers to complete educational seminars in order to obtain a license
- SB 870 - Transfers responsibility for existing appropriation payments from the Office of Administration to other state agencies
- SB 1001 - Modifies lawful presence requirements for drivers' license, modifies graduated driver's license law and allows the Highway Commission to revoke licenses and registrations of motor carriers in certain circumstances
- SB 1060 - Modifies provisions regarding the tax contribution designation for the Missouri Military Family Relief Fund
- HB 1382 - Modifies various provisions relating to specialized military license plates
- HB 1440 - Creates an income tax checkoff for donations for cervical cancer awareness and treatment
- HB 1485 - Creates a tax credit for contributions to centers providing social services

**Roads and Highways**

- SB 667 - Designates several portions of highways within Missouri after Missouri highway patrolmen
- SB 840 - Modifies the highway and bridge naming process and allows the Highway Commission to dispose of excess real property under certain conditions
- SB 872 - Enacts various provisions relating to the safe operation of motor vehicles to ensure the safety of highway workers, emergency workers and other motorists
- SB 990 - Designates various sections of state highways after law enforcement
- SB 1059 - Designates a portion of I-55 in St. Louis County as the "Officer Thomas G. Smith Jr. Memorial Highway"
- SB 1139 - Designates the portion of Highway 21 from the intersection of Lindbergh Avenue to the intersection of Gravois Road in St. Louis County as the "Sergeant William McEntee Memorial Highway"
- HB 1380 - Creates the "Missouri Public-Private Partnerships Transportation Act"
- HB 1488 - Designates a portion of Interstate 55 in Jefferson County as the "Officer Thomas G. Smith Jr. Memorial Highway"

**Saint Louis**

- SB 1086 - Grants the St. Louis Board of Police Commissioners the authority to establish police officer salaries without prior authorization from the General Assembly

**Salaries**

- SB 1086 - Grants the St. Louis Board of Police Commissioners the authority to establish police officer salaries without prior authorization from the General Assembly

**Science and Technology**

SB 1008 - Creates the Governor's Advisory Council on Agricultural Science and Technology

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**Secretary of State**

- SB 845 - Modifies fees and reinstatement processes in the event of corporate administrative dissolution
- SB 1014 - Modifies law relating to election administration
- HB 1427 - Modifies fees and reinstatement processes in the event of corporate administrative dissolution
- 

**Securities**

- SB 718 - Modifies the authority of the Development Finance Board to grant loans
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**Sewers and Sewer Districts**

- SB 802 - Defines the terms "owner", "registered voter" and "voter" when used in provisions about certain sewer districts
- HB 1149 - Pertains to the regulation of water
- 

**Social Services Dept.**

- SB 614 - Creates an income tax credit for contributions to residential treatment agencies
- SB 618 - Provides that electronic access cards may be issued to custodial parents for disbursement of child support payments
- SB 1084 - Extends the sunset date for Childrens Health Insurance Program and non-Medicaid eligible personal care services
- SB 1117 - Modifies provisions of the Missouri Rx Plan Advisory Commission
- HB 1491 - Requires the Family Support Division to urge Medicaid applicants to use federal veterans' benefits
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**Surveyors**

- SB 819 - Modifies licensure requirements for professional engineers and land surveyors
- HB 1494 - Modifies licensure requirements for professional engineers and land surveyors
- 

**Taxation and Revenue - General**

- SB 561 - Limits the amount of revenue expenditures from gaming boat admission fees
- SB 822 - Extends FRA, Pharmacy Tax, Nursing Facility reimbursement allowance, and Medicaid managed care reimbursement allowance sunsets
- SB 1002 - Allows the imposition of an additional fee for drainage districts
- SB 1229 - Creates a tax credit for children in crisis
- HB 1485 - Creates a tax credit for contributions to centers providing social services
- HB 1688 - Prohibits certain sales tax revenue from inclusion as economic activity tax revenue for TIF projects
- 

**Taxation and Revenue - Income**

- SB 614 - Creates an income tax credit for contributions to residential treatment agencies
- SB 641 - Requires all contributions to the Missouri Higher Education Savings Program be held for twelve months
- SB 678 - Repeals the quarterly tax collections report requirement for temporary tax collection
- SB 1060 - Modifies provisions regarding the tax contribution designation for the Missouri Military Family Relief Fund
- HB 1440 - Creates an income tax checkoff for donations for cervical cancer awareness and treatment

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**Taxation and Revenue - Property**

- SB 561 - Limits the amount of revenue expenditures from gaming boat admission fees  
SB 630 - Modifies eligibility requirements for the Homestead Preservation Tax Credit  
SB 778 - Requires proof of payment of personal property taxes on certain vessels, raises vessel fees and creates the "Missouri State Water Patrol Fund"  
SJR 26 - Exempts property owned by veterans' organizations from taxation
- 

**Taxation and Revenue - Sales and Use**

- SB 561 - Limits the amount of revenue expenditures from gaming boat admission fees  
SB 678 - Repeals the quarterly tax collections report requirement for temporary tax collection  
SB 825 - Creates the "Kansas and Missouri Regional Investment District Compact" to promote public transit projects within the Kansas City metropolitan area  
SB 893 - Modifies provisions relating to taxes for emergency services and fire protection  
SB 1056 - Modifies the method of how community improvement districts may impose sales taxes  
SB 1207 - Allows New Madrid County to impose an additional sales tax, which proceeds shall be shared among the county and the cities, towns and villages within the county
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**Teachers**

- SB 580 - Requires collaboration between certain departments in order to achieve a more efficient and effective educational system  
SB 725 - Alters provisions regarding alcoholic beverages  
SB 894 - Renders multiple alterations to the state's education policy  
HB 1449 - A substitute or part-time teacher employed within one year of the teacher's retirement shall not be subject to an additional background check  
HB 1732 - Broadens and alters the criteria for permissible self-administered medications in public schools
- 

**Telecommunications**

- SB 1066 - Provides certain telecommunication companies the opportunity to request a waiver from the requirement that tariffs be filed to reduce rates for any service in which the current rate exceeds the maximum allowable price
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**Television**

- SB 870 - Transfers responsibility for existing appropriation payments from the Office of Administration to other state agencies
- 

**Tourism**

- SB 1216 - Modifies the law relating to travel clubs
- 

**Transportation**

- SB 825 - Creates the "Kansas and Missouri Regional Investment District Compact" to promote public transit projects within the Kansas City metropolitan area  
SB 931 - Gives property owners one vote per acre when electing directors for a transportation development district  
HB 1380 - Creates the "Missouri Public-Private Partnerships Transportation Act"
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**Transportation Dept.**

- SB 667 - Designates several portions of highways within Missouri after Missouri highway patrolmen
- SB 840 - Modifies the highway and bridge naming process and allows the Highway Commission to dispose of excess real property under certain conditions
- SB 872 - Enacts various provisions relating to the safe operation of motor vehicles to ensure the safety of highway workers, emergency workers and other motorists
- SB 1139 - Designates the portion of Highway 21 from the intersection of Lindbergh Avenue to the intersection of Gravois Road in St. Louis County as the "Sergeant William McEntee Memorial Highway"
- HB 1380 - Creates the "Missouri Public-Private Partnerships Transportation Act"
- HB 1488 - Designates a portion of Interstate 55 in Jefferson County as the "Officer Thomas G. Smith Jr. Memorial Highway"
- 

**Treasurer, State**

- SB 641 - Requires all contributions to the Missouri Higher Education Savings Program be held for twelve months
- SB 1060 - Modifies provisions regarding the tax contribution designation for the Missouri Military Family Relief Fund
- 

**Unemployment Compensation**

- HB 1456 - Modifies law regarding unemployment security
- 

**Utilities**

- SB 558 - Removes the termination date for experimental tariffs put in place by the Public Service Commission and gas corporations for schools
- SB 559 - Considers any municipality, governmental unit, or public corporation created under the laws of any state or the United States a person
- HB 1149 - Pertains to the regulation of water
- 

**Veterans**

- SB 578 - Prohibits protest activities during funeral services
- SB 1026 - Authorizes the Lieutenant Governor to administer certain veterans' programs and funds
- SJR 26 - Exempts property owned by veterans' organizations from taxation
- HB 978 - Establishes the "Vietnam War Medallion Program" and the "Vietnam War Veteran's Recognition Award Fund"
- HB 983 - Requires the United States and the Missouri state flags to be flown at half-staff on all government buildings on September 11 of each year
- HB 984 - Encourages all government buildings, businesses, and state citizens to display the POW/MIA flag on certain dates
- HB 1026 - Prohibits protest activities during funeral services
- HB 1552 - Allows homeless veterans to use addresses of certain charitable organizations on applications for state or federal assistance
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**Water Patrol**

- SB 778 - Requires proof of payment of personal property taxes on certain vessels, raises vessel fees and creates the "Missouri State Water Patrol Fund"
- 

**Water Resources and Water Districts**

- HB 1149 - Pertains to the regulation of water
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**Weapons**

SB 919 - Repeals the statute permitting the city council of a third-class city to prohibit the carrying of concealed weapons

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